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## NORTH KOREAN FORCES INVADE SOUTH KOREA

### U.S. PRESENTS CEASE-FIRE RESOLUTION TO SECURITY COUNCIL

*Statement by Ernest A. Gross*

*Deputy U.S. Representative on Security Council<sup>1</sup>*

At 4 o'clock in the morning, Sunday, June 25th, Korean time, armed forces from North Korea commenced an unprovoked assault against the territory of the Republic of Korea. This assault was launched by ground forces along the 38th Parallel, in the Ongjin, Kaesong, and Chunshon sectors, and by amphibious landings on the east coast in the vicinity of Jnagmung. In addition, North Korean aircraft have attacked and strafed the Kimpo airport in the outskirts of the capital city of Seoul.

Under the circumstances I have described, this wholly illegal and unprovoked attack by the North Korean forces, in the view of my Government, constitutes a breach of the peace and an act of aggression.

This is clearly a threat to international peace and security. As such, it is of grave concern to my Government. It is a threat which must inevitably be of grave concern to the governments of all peace- and freedom-loving nations.

A full-scale attack is now going forward in Korea. It is an invasion upon a state which the United Nations itself, by action of its General Assembly, has brought into being. It is armed aggression against a government elected under United Nations supervision.

Such an attack strikes at the fundamental purposes of the United Nations Charter. Such an attack openly defies the interest and authority of the United Nations. Such an attack, therefore, concerns the vital interest which all the members

of the United Nations have in the organization.

The history of the Korean problem in the United Nations is well known to you. At this critical hour I will not review it in detail. But let me recall only a few milestones in the development of the Korean situation.

A joint Commission of the United States and the Soviet Union for 2 years sought unsuccessfully to agree on ways and means of bringing to Korea the independence which we assumed would automatically come when Japan was defeated. This 2-year deadlock prevented 38 million people in Korea from getting the independence which it was agreed was their right.

My Government, thereupon, sought to hold a four-power conference at which China and the United Kingdom would join the United States and the Soviet Union to seek agreement on the independence of Korea. The Soviet Union rejected that proposal.

The United States then asked the General Assembly to consider the problem. The Soviet Union opposed that suggestion. The General Assembly by resolution of November 14, 1947, created the United Nations Temporary Commission on Korea. By that resolution the General Assembly recommended the holding of elections not later than the 31st of March 1948, to choose representatives with whom the Commission might consult regarding the prompt attainment of freedom and independence of the Korean people. These elected representatives would constitute a national assembly and establish a national government of Korea.

The General Assembly further recommended that upon the establishment of a national government, that government should in consultation with the Commission constitute its own national security forces and to dissolve all military or semi-military formations not included therein. The General Assembly recommended that the national

<sup>1</sup> Made before the Security Council on June 25 and released to the press by the U.S. Mission to the U.N. on the same date.



government should take over the functions of government from the military command and from the civilian authorities of North and South Korea, and arrange with the occupying powers for the complete withdrawal from Korea of the armed forces as early as practicable and if possible within 90 days.

Elections were held in South Korea, and the Commission did observe them. A Government in South Korea was set up as a result of the elections observed by the Commission. The Commission was unable to enter North Korea because of the attitude of the Soviet Union.

The Temporary Commission in its report to the third session of the General Assembly stated that not all the objectives set forth for it had been fully accomplished and that, in particular, unification of Korea had not yet been achieved.

Notwithstanding the frustrations and difficulties which the Temporary Commission had experienced in Korea, the General Assembly at its third session continued the Commission's existence and requested it to go on with its efforts to bring North and South Korea together.

One aspect of the resolution adopted by the third session of the General Assembly should, I feel, be particularly emphasized. The General Assembly declared that a lawful government had been established in Korea as a result of the elections observed by the Commission and declared further that this was the only lawful government in Korea. This is a most significant fact.

The General Assembly declared further than the Government of Korea was based on elections which were a valid expression of the free will of the electorate of that part of Korea and which were observed by the United Nations Commission.

In the light of this declaration, my Government on January 1, 1949, extended recognition to the Government of the Republic of Korea, and more than 30 states have since that time also accorded recognition to that Government.

The United Nations Commission worked toward the United Nations objective of the withdrawal of occupation forces from Korea, the removal of the barriers between the regions of the North and South, and the unification of that country under a representative government freely determined by its people.

In 1949, as in 1948, the Commission's efforts to obtain access to North Korea which included both direct intercourse with the northern authorities

and endeavors to negotiate through the Government of the U.S.S.R. were fruitless. The Commission was unable to make progress either toward the unification of Korea or toward the reduction of barriers between the Republic of Korea and the northern authorities. The Commission reported to the General Assembly that the border of the 38th Parallel was becoming a sea of increasingly frequent exchanges of fire and armed raids, and that this constituted a serious barrier to friendly intercourse among the people of Korea.

The Commission observed the withdrawal of United States forces, which was completed on June 19, 1949. Although it signified its readiness to verify the fact of the withdrawal of Soviet occupation forces from North Korea, the Commission received no response to its message to the U.S.S.R. and therefore could take no action.

At the fourth session, the General Assembly again directed the Commission to seek to facilitate the removal of barriers to economic, social, and other friendly intercourse caused by the division of Korea. The General Assembly also authorized the Commission on October 21, 1949, in its discretion, to appoint observers and utilize the services and good offices of persons whether or not representatives of the Commission. The United Nations Commission on Korea is presently in Seoul and we have now received its latest report.

Mr. President, I have tabled a draft resolution<sup>2</sup> which notes the Security Council's grave concern at the invasion of the Republic of Korea by the armed forces of North Korea. This draft resolution calls upon the authorities in the North to cease hostilities and to withdraw armed forces to the border along the 38th Parallel.

The draft resolution requests that the United Nations Commission on Korea observe the withdrawal of the North Korean forces to the 38th Parallel and keep the Security Council informed on the implementation and execution of the resolution. The draft resolution also calls upon all members of the United Nations to render every assistance to the United Nations in the carrying out of this resolution and to refrain from giving assistance to the North Korean authorities.

#### The Security Council

RECALLING the finding of the General Assembly in its resolution of 21 October 1949 that the Government of the

<sup>2</sup> Adopted by the Security Council on June 25, 1950, by a vote of 9 to 0, with 1 abstention (Yugoslavia); U.S.S.R. was absent.



Republic of Korea is a lawfully established government "having effective control and jurisdiction over that part of Korea where the United Nations Temporary Commission on Korea was able to observe and consult and in which the great majority of the people of Korea reside; and that this Government is based on elections which were a valid expression of the free will of the electorate of that part of Korea and which were observed by the Temporary Commission; and that this is the only such Government in Korea";

MINDFUL of the concern expressed by the General Assembly in its resolutions of 12 December 1948 and 21 October 1949 of the consequences which might follow unless Member states refrained from acts derogatory to the results sought to be achieved by the United Nations in bringing about the complete independence and unity of Korea; and the concern expressed that the situation described by the United Nations Commission on Korea in its report menaces the safety and well-being of the Republic of Korea and of the people of Korea and might lead to open military conflict there;

NOTING with grave concern the armed attack upon the Republic of Korea by forces from North Korea,

Determines that this action constitutes a breach of the peace,

I. *Calls upon* the authorities of North Korea (a) to cease hostilities forthwith; and (b) to withdraw their armed forces to the thirty-eighth parallel.

II. *Requests* the United Nations Commission on Korea (a) to observe the withdrawal of the North Korean forces to the thirty-eighth parallel; and (b) to keep the Security Council informed on the execution of this resolution.

III. *Calls upon* all Members to render every assistance to the United Nations in the execution of this resolution and to refrain from giving assistance to the North Korean authorities.

## **U. S. AIR AND SEA FORCES ORDERED INTO SUPPORTING ACTION**

*Statement by President Truman*

[Released to the press June 27]

In Korea, the Government forces, which were armed to prevent border raids and to preserve internal security, were attacked by invading forces from North Korea. The Security Council of the United Nations called upon the invading troops to cease hostilities and to withdraw to the 38th Parallel. This they have not done but, on the contrary, have pressed the attack. The Security Council called upon all members of the United Nations to render every assistance to the United Nations in the execution of this resolution. In these circumstances, I have ordered United States air and sea forces to give the Korean Government troops cover and support.

The attack upon Korea makes it plain beyond all doubt that communism has passed beyond the use of subversion to conquer independent nations and will now use armed invasion and war. It has defied the orders of the Security Council of the United Nations issued to preserve international peace and security. In these circumstances, the occupation of Formosa by Communist forces would be a direct threat to the security of the Pacific area and to United States forces performing their lawful and necessary functions in that area.

Accordingly, I have ordered the Seventh Fleet to prevent any attack on Formosa. As a corollary of this action, I am calling upon the Chinese Government on Formosa to cease all air and sea operations against the mainland. The Seventh Fleet will see that this is done. The determination of the future status of Formosa must await the restoration of security in the Pacific, a peace settlement with Japan, or consideration by the United Nations.

I have also directed that United States forces in the Philippines be strengthened and that military assistance to the Philippine Government be accelerated.

I have similarly directed acceleration in the furnishing of military assistance to the forces of France and the Associated States in Indochina and the dispatch of a military mission to provide close working relations with those forces.

I know that all members of the United Nations will consider carefully the consequences of this latest aggression in Korea in defiance of the Charter of the United Nations. A return to the rule of force in international affairs would have far-reaching effects. The United States will continue to uphold the rule of law.

I have instructed Ambassador Austin, as the representative of the United States to the Security Council, to report these steps to the Council.

### **Soviet Help Asked To Restore Korean Peace**

In reply to inquiries from the press the State Department on June 27 confirmed that the American Embassy at Moscow communicated, on that date, with the Soviet Foreign Office in regard to the invasion of the Republic of Korea by North Korean armed forces. The Embassy asked that the Soviet Government use its influence with the North Korean authorities for the withdrawal of the invading forces and the cessation of hostilities.

## *Remarks by Secretary Acheson*

*At his news conference on June 28 Secretary Acheson made the following extemporaneous remarks concerning the announcement by President Truman of United States support for the Republic of Korea in accordance with the resolution of the Security Council of June 25.*

There are a few points which I should like to make before we go into the questions about the matter which I am sure is uppermost in all of your minds. That is the announcement by the President yesterday of decisions which he had taken. I will not go into those decisions in detail but make some points about them.

The first point I want to make is our feeling of deep gratitude here in the Department, and responsibility also, for the almost unanimous world reaction which has come from the action taken by the United Nations and from the announcement made yesterday by the President of his actions in support of the United Nations.

In all parts of the world where free opinion exists, there has been an immediate response—a response to the realization that this was, if there ever was in the world, a test of whether the United Nations is going to survive.

This attack was the most cynical, brutal, naked attack by armed forces upon an undefended country that could occur. The world has understood that, and it has understood that the actions taken by the United States have been taken in support of the United Nations.

The second point I want to make is that as soon as we knew that this attack had taken place, and had immediately conveyed that information to the President and gotten his instructions, it was the view of the President, and of the entire Government of the United States, that our first responsibility was to report this to the United Nations. This was done in the middle of the night on Saturday, June 24, and a meeting of the Security Council was called on Sunday, June 25. From then on, all action in Korea has been under the aegis of the United Nations. That is a very important point.

The next point that I want to make is one that I am sure you understand. It is that the entire action of the Government of the United States, since a late hour on Saturday when this information came to us, has been taken under Presidential leadership and direction. Here, as in many other situations in the years in which I have been Under Secretary and Secretary, the President has been

faced with the most difficult decisions which had to be made quickly, and after taking full advice he has assumed the responsibility and he has made the decision.

The fourth point I would like to make is that there has been complete unity among the President's advisers, civil and military. The Departments of State and Defense have worked practically as one department ever since this matter arose, and in anticipation of possible difficulties of this sort, so that we were able on the shortest possible notice to present completed staff work to the President. He had the view of his advisers without having differences among his advisers.

The fifth point I should like to stress is the unity which existed at the President's meeting yesterday, at which the Secretary of Defense and I, and our advisers, were present with the Congressional leaders. Here, again, the understanding of the problem, the understanding of the actions taken showed complete unity.

The sixth point I should like to make is that with very few exceptions the press and radio of the United States has been unified in its comments upon what was done and the necessity for doing it. I assume, and I think I assume justly, that that attitude on the part of the press and the radio indicates that there is similar unity among the people of the United States.

Finally, I should like to leave with you the thought that the complexities and difficulties of the international situation are great. This is a time for very steady and sober talk and action. It is not a time for general speculation, for trying to stir up difficulties which do not exist, for imagining possibilities which are remote. It is a time for the very greatest steadiness, and it is a time, as I have often said in the past, where, more than ever, you gentlemen share with the officials of the Government a very deep responsibility, which I feel sure you are quite aware of.

## **U.S. ASKS SECURITY COUNCIL TO ASSIST IN REPELLING ATTACK**

*Statement by Ambassador Warren R. Austin  
U.S. Representative to the Security Council<sup>3</sup>*

The United Nations finds itself confronted today with the gravest crisis in its existence.

<sup>3</sup> Made before the Security Council on June 27 and released to the press by the U.S. Mission to the United Nations on the same date.

Forty-eight hours ago the Security Council, in an emergency session, determined that the armed invasion of the Republic of Korea, by armed forces from Northern Korea, constituted a breach of the peace. Accordingly, the Security Council called for a cessation of hostilities forthwith and the withdrawal by the Northern Korean authorities of their armed forces to the 38th Parallel. The Security Council also requested the United Nations Commission on Korea to observe the withdrawal and to report. Finally, the Security Council called upon all members to render every assistance to the United Nations in the execution of the resolution and to refrain from giving assistance to the North Korean authorities.

The decision of the Security Council has been broadcast to the Korean authorities and is known to them. We now have before us the report of the United Nations Commission for Korea which confirms our worst fears. It is clear that the authorities in North Korea have completely disregarded and flouted the decision of the Security Council. The armed invasion of the Republic of Korea continues. The North Korean authorities have even called upon the established Government of the Republic to surrender.

It is hard to imagine a more glaring example of disregard for the United Nations and for all the principles which it represents. The most important provisions of the Charter are those outlawing aggressive war. It is precisely these provisions which the North Korean authorities have violated.

It is the plain duty of the Security Council to invoke stringent sanctions to restore international peace.

The Republic of Korea has appealed to the United Nations for protection. I am happy and proud to report that the United States is prepared as a loyal member of the United Nations to furnish assistance to the Republic of Korea.

I have tabled a resolution<sup>4</sup> which I ask the Council to consider favorably as the next step to restore world peace.

That resolution is as follows:

The Security Council,

HAVING DETERMINED that the armed attack upon the Republic of Korea by forces from North Korea constitutes a breach of the peace,

HAVING CALLED for an immediate cessation of hostilities, and

<sup>4</sup> Adopted by the Security Council on June 27 by a vote of 7 (U.S., U.K., France, China, Cuba, Ecuador, and Norway)—1 (Yugoslavia), with 2 abstentions (Egypt and India); the U.S.S.R. was absent.

HAVING CALLED upon the authorities of North Korea to withdraw forthwith their armed forces to the 38th Parallel, and

HAVING NOTED from the report of the United Nations Commission for Korea that the authorities in North Korea have neither ceased hostilities nor withdrawn their armed forces to the 38th Parallel, and that urgent military measures are required to restore international peace and security, and

HAVING NOTED the appeal from the Republic of Korea to the United Nations for immediate and effective steps to secure peace and security,

*Recommends* that the Members of the United Nations furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area.

This is the logical consequence of the resolution concerning the complaint of aggression upon the Republic of Korea adopted at the 473d meeting of the Security Council on June 25, 1950, and the subsequent events recited in the preamble of this resolution. That resolution of June 25 called upon all members to render every assistance to the United Nations in the execution of this resolution

#### Article 27 of the U. N. Charter

1. Each member of the Security Council shall have one vote.
2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.
3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

#### Article 28 of U. N. Charter

1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.
2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.
3. The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.

EDITOR'S NOTE: A Security Council practice has developed under which, if a permanent member of the Security Council abstains from voting on a non-procedural decision of the Council, such abstention is not considered to be a veto.



and to refrain from giving assistance to the North Korean authorities. This new resolution is the logical next step. Its significance is affected by the violation of the former resolution, the continuation of aggression, and the urgent military measures required.

I wish now to read the statement which the President of the United States made today on this

critical situation.

[Here follows the President's statement as printed in this issue on page 5.]

The keynote of the resolution and my statement and the significant characteristic of the action taken by the President is support of the United Nations purposes and principles—in a word “peace.”

## SOVIET VIOLATIONS OF TREATIES AND AGREEMENTS

*The instability of peace the world over is due, in large measure, to deliberate Soviet policy and actions and to the wholesale Soviet violation of basic agreements. Because of the U.S.S.R.'s record in ignoring its international pledges, the faith of the world in Soviet signatures had been badly shattered. Whether it be the Yalta agreement or a treaty of friendship, the U.S.S.R. has chosen to ignore its sworn commitments whenever it has found such action advantageous for its own purposes.*

As it ruthlessly pursues its expansionist objectives in the postwar world, the Soviet Union is building up a reputation as an irresponsible international marauder. Before the court of world opinion, it stands indicted for disregarding its international treaties and agreements, openly flouting protocols and promises, and encouraging violations of basic human rights by other treaty signatories. Because of its policy of refusal to work in concert with other nations, its preference for abrupt and unauthorized unilateral action, and its apparent determination to impose its will upon the world, the value of agreements with the Soviet Union has been nullified. From Yalta to the present, the broken pledges of the U.S.S.R. have marked international relations. A review of this record is worthwhile.<sup>1</sup>

### Europe

The uncertain peace of postwar Europe is primarily due to the fact that the Russians have deliberately undermined the foundations upon which

peace was to be built. The Soviet Union has violated the Yalta agreement of February 1945, the Potsdam Declaration of July 1945, and the peace treaties so far concluded with the ex-German satellites. Soviet violation of Allied armistice agreements, refusal to act in concert with the other Allies on control commissions, and even the ignoring of the decisions of the Council of Foreign Ministers can be added to those. The fact that the framework of peace has never been completed, that Austria still pleads for a treaty, and that the settlement of the German question still plagues Europe is also due to Soviet intransigence and the unreliability of its word.

### THE YALTA AGREEMENT

When the Big Three met at Yalta in February 1945, the three Governments, the United States, the United Kingdom, and the U.S.S.R., agreed to assist liberated people to form “interim government authorities broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of governments responsive to the will of the people.” According to James F. Byrnes, former Secretary of State, Stalin accepted the Yalta agreement without serious discussion and in an atmosphere of genial camaraderie. Yet, Soviet action has consistently undermined and made meaningless this fundamental declaration.

### The Potsdam Decisions and the Control Council

The Potsdam Declaration of July 1945 aimed at the ultimate creation of a unified, democratic Germany. To achieve this aim, the powers represented at the conference committed themselves to

<sup>1</sup> This study brings up to date the material published in the BULLETIN of June 6, 1948, p. 738.

the destruction of German militarism, the wiping out of nazism, the punishment of war criminals, the decentralization of the political structure of Germany, and the dissolution of concentrations of economic power. A new democratic German government was to be developed under the supervision of an Allied Control Council (Acc), and the four Allied zone commanders were to enjoy absolute sovereignty in their respective zones unless their powers were pre-empted by Acc legislation. Besides dealing with Germany, the United States, the United Kingdom, and the Soviet Union agreed at Potsdam, among other things, to consult with each other with a view to revising the procedures of Allied Control Commissions for Rumania, Bulgaria, and Hungary.

The lack of success of the program formulated at Potsdam can be laid at the door of the Soviet Union. From the inception of the Potsdam protocols, the U.S.S.R. has a record of wholesale violation of the agreement, refusal to abide by decisions of the Control Councils, and a flagrant usurpation of power on the Control Councils in the satellite area.

#### **GERMANY**

Moreover, in dealing with Germany, the Soviet Union has readily disregarded promises made at meetings of the Council of Foreign Ministers (CFM). By a CFM decision reached at Moscow, March 19-April 24, 1947, all German prisoners of war were to be repatriated by December 1, 1948. The U.S.S.R. not only did not return all German prisoners by that date, but she unilaterally announced a new deadline of January 1, 1950.

Under the Paris CFM communiqué of June 20, 1949, each occupying power in Germany agreed to insure the "normal functioning" of transport between Berlin and the zones as well as between the Soviet and Western zones. Since January 13, 1950, the Soviet authorities have intermittently interfered with traffic between Berlin and Western Germany.

#### **Violations of the Peace Treaties**

Upon ratification of the treaties of peace with Hungary, Bulgaria, and Rumania, on September 15, 1947, the armistice period and the authority of the Allied Control Commissions came to an end. On this date, the treaties entered into force, and the three Governments regained a type of nominal sovereignty. In fact, however, the U.S.S.R. con-

tinued to exercise tutelary powers over them. In consequence, the implementation of the treaties is characterized by subservient fulfillment with regard to obligations toward the U.S.S.R. but by evasion, delay, and violations with reference to the Western Allies. The Soviet Union condones and in many cases, abets these infringements and, as the tutelary power, must bear responsibility for them.

#### **HUMAN RIGHTS**

Under the peace treaties, the Hungarian, Bulgarian, and Rumanian Governments undertook to guarantee the enjoyment of human rights and fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion, and of public meeting. The U.S.S.R. directly aided and abetted these Governments in failing to fulfill these human rights clauses. Freedom of expression and of press and publication no longer exist in any of these countries. Freedom of worship is interfered with time and again, either through subtle methods or through drastic procedures such as the trials and imprisonments of church leaders. Freedom of political opinion is also violated by the forceful elimination of all political groups opposing the Communist-controlled governments of these countries.

On April 2, 1949, the United States and Great Britain charged the three Governments with having violated the human-rights obligations of the peace treaties. All three Governments issued denials and indicated their unwillingness to adopt the requested remedial measures. The United States and the United Kingdom thereupon informed them that in the British and American view a dispute had arisen concerning the interpretation and execution of the peace treaties. Under the treaties,<sup>2</sup> any dispute concerning the execution of the treaties, which is not settled by diplomatic negotiations, should be referred to the heads of the United States, United Kingdom, and U.S.S.R. missions in the three countries. On May 31, 1949, the United States called upon the United Kingdom and U.S.S.R. to hold a meeting of the three heads of mission in each country to settle the disputes which had arisen over noncompliance with the human-rights clauses. The Soviet Union, in a note of June 11, 1949, refused to participate in the meetings, contending that no such disputes had

<sup>2</sup> Art. 40, Hungarian treaty; art. 36, Bulgarian treaty; and arts. 37 and 38, Rumanian treaty.

arisen and that there was, therefore, no reason for such a meeting. A second United States note, delivered June 30, 1949, expressed regret for the Soviet Union's disregard of the provisions of the treaties and again asserted that disputes did exist between the United States and the three satellite Governments. In a memorandum dated July 19, 1949, the Soviet Union reaffirmed its previous contention and, since that time, has consistently refused to participate in a meeting on the matter.

By its stand, the Soviet Union violates the disputes clause of the peace treaties and the offending countries are encouraged to continue systematically and willfully to violate their treaties.

Besides the flagrant violations of the human-rights clauses, there have been other treaty violations. In each instance, the attitude of the Soviet Government is to condone the violation.

#### HUNGARY

Under article 10 of her treaty, Hungary undertook to honor her prewar bilateral treaties with the Allied and Associated Powers, provided that the other contracting party notified the Hungarian Government, within a period of 6 months of the coming into force of the peace treaty, that she desired to keep in force or revive the bilateral treaty in question. Among the prewar treaties coming under the provisions of this article was the Treaty of Friendship, Commerce, and Navigation of 1925 between the United States and Hungary. Although the United States Government duly notified Hungary, within the prescribed 6-month period, that she desired to keep this bilateral treaty in force, the Hungarian Government has evaded and refused to fulfill its obligations under article 10 in at least two notable instances: first, in the seizure of United States property; and second, in the arrest and trial of two American citizens, Robert Vogeler and Israel Jacobson, who were held incommunicado without access to United States consular officers.

Under article 23 of the peace treaty, Hungary undertook to pay the sum of 100 million dollars as reparations to Czechoslovakia and Yugoslavia. On February 27, 1949 (after the Moscow-inspired Cominform declaration of June 28, 1948, against Yugoslavia), the Yugoslav Minister to Hungary delivered a note to the United States Legation at Budapest stating that the Hungarian Government had failed to abide by article 23 of the treaty and that, as a result of the ill will of the Hungar-

ian Government, the enforcement of article 23 could not be carried out by direct negotiations between the two Governments. The Hungarian Government has, to this day, refused to comply with article 23 of the treaty, and the Soviet Government has refused to participate in a meeting of the three heads of mission at Budapest, provided for in article 40 of the treaty for the settlement of disputes which cannot be solved by direct negotiation.

Under article 28 of the treaty, Hungary undertook to restore all legal rights and interests of the United Nations and their nationals, as they existed on September 1, 1939, as well as to compensate such persons for property loss and war damage. The Hungarian Government has given no indication that she intends to compensate American citizens. On November 8, 1949, the United States Legation at Budapest transmitted to the Hungarian Minister for Foreign Affairs four new claims and additional evidence with regard to 116 previous claims. Although Hungary has acknowledged receipt of the note, she has taken no action to fulfill these claims.

#### BULGARIA

The U.S.S.R. has openly aided and abetted the Bulgarian Government in failing to fulfill completely or in totally ignoring treaty provisions limiting the armed forces.<sup>3</sup> The Soviet Union accomplished this fact by supplying Bulgaria with arms, ammunition, and equipment in excess of those needed for the armed force stipulated by the peace treaty. In addition, the U.S.S.R., by negative and extremely dilatory acts, is tolerating Bulgarian failure to reduce these forces to the limits prescribed in article 10. The U.S.S.R., by negative and obstructionist tactics, aided and abetted the Bulgarian Government in the formation, maintenance, and training of paramilitary organizations, i. e., the militia and the use of this organization by the Bulgarians to violate both the spirit and letter of article 2, the human-rights clause of the treaty. The U.S.S.R., encourages the Bulgarian Government to deny the Governments of the United States and United Kingdom their rights, under the terms of the treaty, to information pertaining to the Bulgarian armed forces or the right to gather such information by investigation. The Soviet Government declined the United States-United Kingdom invitation to name a So-

<sup>3</sup> Arts. 9, 10, 11, and 12.



viet representative to participate in a proposed survey of the Greco-Bulgarian border.<sup>4</sup> It, thereby, encouraged the Bulgarian Government's reply that, under the terms of the peace treaty, the matter should be referred to the United States, United Kingdom, and U.S.S.R. diplomatic missions. (The Soviet Government had already refused to participate in any such conventions under article 36 of the peace treaty to settle disputes concerning the interpretation or execution of the Bulgarian peace treaty.)

#### **RUMANIA**

As in Bulgaria, the Soviet Government has consistently refused to cooperate with American and British chiefs of mission to consider the principles involved in the implementation of the military clauses of the peace treaty with Rumania. Both the Soviet and British chiefs of mission agreed to a meeting on this matter, scheduling it for May 18, 1948. However, the Soviet Ambassador cancelled the scheduled meeting, saying that he was "indisposed," and, on May 26, 1948, he addressed a note to the American Minister stating that there was no necessity for the proposed meeting and no reason for putting the proposal into effect. Thus, the Rumanian Government has felt free to violate the military provisions of the peace treaty.

#### **Violations of Agreement With Iran**

Soviet-Iranian relations are based formally on the treaty of friendship of February 26, 1921, which was reaffirmed in 1928. Article IV of this treaty states:

In consideration of the fact that each nation has the right to determine freely its political destiny, each of the two contracting parties formally expresses its desire to abstain from any intervention in the internal affairs of the other.

In 1942, the U.S.S.R., United Kingdom, and Iran signed a treaty of alliance in which the two large powers agreed to respect the territorial integrity, sovereignty, and independence of Iran. In the 1943 Tehran declaration, the U.S.S.R., United Kingdom, and the United States expressed their desire for the maintenance of the independence, sovereignty, and territorial integrity of Iran. As a signer of the United Nations Charter, the U.S.S.R. subscribed to article II (par. 4), which states:

<sup>4</sup> Note No. 056 of Feb. 16, 1948.

All members shall refrain in their international relations from the threat of use of force against the territorial integrity or political independence of any State, or in any manner inconsistent with the purposes of the United Nations.

The U.S.S.R., in her relations with Iran, has violated all of these solemn commitments.

The Soviet Government, in a note to the United States on November 29, 1945, admitted that Soviet forces in Iran had prevented Iranian troops from taking action after the outbreak against the Iranian Government in northern Iran. This Soviet action at least indirectly aided the Azerbaijan separatists and, thus, constituted interference in the internal affairs of Iran, in violation of its 1921 pledge of friendship. Furthermore, violations of the tripartite treaty occurred both during and after World War II. By supporting the Azerbaijan separatists while occupying Iran and by its refusal to evacuate its troops except under United Nations pressures, the U.S.S.R. violated the Tehran declaration. The Iranian appeal to the Security Council in January 1946 and its notification to the Council on December 5, 1946, that the U.S.S.R. had warned Iran to refrain from moving troops into Azerbaijan were both based upon charges of Soviet interference in the internal affairs of Iran in violation of the United Nations Charter. Moreover, the Soviet radio has repeatedly attacked the Iranian Government on false grounds, has incited the Iranian people to violent action against the government, and has given support to the illegal Tudeh Party.

#### **Violation of Agreements Involving the Far East**

##### **KOREA**

The Soviet Government openly violated the joint United States-U.S.S.R. Moscow agreement for the reestablishment of Korean independence and the economic recovery of the country. The two powers were to consult in the preparation of proposals for the formation of a provisional Korean government. The U.S.S.R. representative on the Joint Control Commission consistently refused to allow such consultation except under unilateral interpretations of the phrase "democratic parties and social organizations" which, in each case, would have excluded all but pro-Soviet political groups. Moreover, the Soviet delegation refused to consult with Korean groups whose representatives had at any time expressed opposition to the

provision for placing Korea under trusteeship, as envisaged in the Moscow agreement.

The Joint Commission agreed to reestablish the movement of persons, motor, rail transport, and coastwise shipping between the zones of north and south Korea. The Soviet Command in north Korea refused to discuss or implement this agreement and resisted efforts toward reestablishing the natural economic unity of the country. Concessions to economic coordination were made only on a barter basis. No regularized movement of persons or transport was established beyond that allowed the United States to supply her outposts that were accessible only by roads through Soviet-occupied territory.

#### JAPAN

In the terms of the Potsdam Declaration, defining the conditions for the Japanese surrender,

Japanese military forces, after being completely disarmed, were to be permitted to return to their homes, "with opportunity to lead peaceful, productive lives." On December 8, 1949, the U.S.S.R. signed the Geneva Prisoners of War Convention, setting forth the rights and obligations of countries holding prisoners of war.

TASS, the official Soviet news agency, on May 20, 1949, declared that there were 95,000 Japanese prisoners of war in Soviet-held territory still awaiting repatriation. According to Japanese figures, an additional 376,929 Japanese were then still under Soviet control. The discrepancy is explicable either by continued detention of Japanese prisoners or an abnormally high death rate. The U.S.S.R. refuses to give any information on the matter and has walked out of Control Council meetings in which the problem was broached.

## The Korean Experiment in Representative Government

*Statement by John Foster Dulles  
Consultant to the Secretary<sup>1</sup>*

The American people salute the Korean nation. We honor the valiant struggle you are making for liberty—human liberty and national liberty.

The American people enlisted in that struggle 175 years ago. We were, then, few, poor, divided, and menaced. There were only about 3 million of us. We were living precariously off the soil and the seas. We had been divided by loyalties to 13 rival sovereign states. We were closely pressed by the great military powers of that time—Spain to the south, England and France to the north, and Russia, which had moved into our continent, in the west. Nevertheless, our founders saw that Providence had given our people a unique opportunity to show that a free society could develop a spiritual, intellectual, and material richness which could not be matched by a society of dictatorship and that, if we took advantage of that opportunity, our example would stimulate men elsewhere to cast off the shackles of despotism. From its beginning, our effort was consciously related to the general welfare of mankind.

We went through many dark days and long nights. But our experiment succeeded. Our con-

duct and example, despite many faults, did help to show the infinite possibilities of free men, and it encouraged men everywhere to pry loose the grip of despotism and to take command of their own destiny. The nineteenth century was, in most of the world, an era of human liberation.

But the battle between liberty and despotism is never-ending. It has no limits either in space or in time. It is part of the constant struggle between good and evil, a struggle that seems to have been ordained for the testing of man.

Despotism, thrown onto the defensive in the nineteenth century, has resumed the offensive in the twentieth century. Already, the United States has twice intervened with armed might in defense of freedom when it was hard-pressed by unprovoked military aggression. We were not bound by any treaty to do this. We did so because the American people are faithful to the cause of human freedom and loyal to those everywhere who honorably support it.

Today, the Korean people are in the front line of freedom, under conditions that are both dangerous and exciting. You emerged from over 40 years spent under Japanese militarism. But you have not emerged into conditions of placid ease. Instead, you encounter a new menace, that of So-

<sup>1</sup> Made before the National Assembly of the Republic of Korea at Seoul, Korea, on June 19 and released to the press on the same date.

viet communism. It denies the spiritual worth and dignity of the individual human being. It insists that all men should be regimented into a pattern of conduct made for them in Moscow. It seeks to impose that degrading concept upon all men everywhere.

Taking advantage of Japanese surrender terms, Soviet communism has seized in its cruel embrace the Korean people to the north of the 38th Parallel; and, from that nearby base, it seeks, by terrorism, fraudulent propaganda, infiltration, and incitement to civil unrest, to enfeeble and discredit your new Republic, hoping, no doubt, that the people might, in despair, accept the iron discipline of the Soviet Communist Party.

That is a hard test for those who are only newly training in the practice of representative government.

Some observers felt that your task was a hopeless one. You have proved them to be wrong. Your faith and your works have confounded the skeptics. You have already held two general elections in an atmosphere free of terrorism, and a very high percentage of all eligible voters have participated. Out of your electoral processes, has come a stable and representative government. You have developed a strong, disciplined, and loyal defense establishment. Through hard work, you are steadily improving your country's economic condition.

There is solid ground for encouragement. No doubt, there are difficult days ahead and many problems yet unsolved, some internal, some external. But what has already happened shows that it lies within your power to achieve the goal of a Korea that is strong and free. Nothing can prevent that if you persist in your resolute will to be free, and if each of you individually exercises the self-controls that are required for the general good. A free society is always a society of diversity. That is the secret of its richness. But also it is a society in which men must voluntarily curb their individualism to the extent needed to enable the nation as a whole to avoid frustration and to achieve creation.

As you establish here in South Korea a wholesome society of steadily expanding well-being, you will set up peaceful influences which will disintegrate the hold of Soviet communism on your fellows to the north and irresistibly draw them into unity with you. Never, for a minute, do we concede that Soviet Communists will hold permanently their unwilling captives. No iron curtain can indefinitely block off the attracting force of what you do if you persist in the way you have been going.

You are conducting what may go down in history as the Great Korean Experiment, an experiment which, in its way, can exert a moral influence in the twentieth century as profound as that

which, in the nineteenth century, was exerted by what was then called the Great American Experiment. That is why the eyes of the free world are fixed upon you. You carry the hopes and aspirations of multitudes.

The American people give you their support, both moral and material, consistent with your own self-respect and your primary dependence on your own efforts.

We look on you as, spiritually, a part of the United Nations which has acted with near unanimity to advance your political freedom, which seeks your unity with the north and which, even though you are technically deprived of formal membership, nevertheless requires all nations to refrain from any threat or use of force against your territorial integrity or political independence.

The American people welcome you as an equal partner in the great company of those who comprise the free world, a world which commands vast moral and material power and resolution that is unswerving. Those conditions assure that any depotism which wages aggressive war dooms itself to unutterable disaster.

The free world has no written charter, but it is no less real for that. Membership depends on the conduct of a nation itself; there is no veto. Its compulsions to common action are powerful, because they flow from a profound sense of common destiny.

You are not alone. You will never be alone so long as you continue to play worthily your part in the great design of human freedom.

## **Tax Treaty Negotiations To Open With Israel**

*[Released to the press June 16]*

United States and Israeli tax officials are expected to meet at Washington on July 10, 1950, for technical discussions of possibilities for improving tax relations between the two countries and to consider whether a basis exists for conventions for the avoidance of double taxation with respect to taxes on income and to taxes on the estates of deceased persons.

If a basis for conventions is found, drafts of the proposed terms will be prepared by the participants and submitted to their respective governments for consideration with a view to signing.

In preparation for the discussions, interested persons are invited to submit information and suggestions to Mr. Eldon P. King, Special Deputy Commissioner of Internal Revenue, Bureau of Internal Revenue, Washington 25, D. C.



## ACHIEVING A COMMUNITY SENSE AMONG FREE NATIONS— A STEP TOWARD WORLD ORDER

*Address by Secretary Acheson<sup>1</sup>*

For years to come, no Secretary of State will speak at Harvard without thinking of General Marshall's address here 3 years ago. That speech was an act of far-reaching importance. It may be useful for his successor to put that act in a setting in history and to show where it has led and where it is now leading us.

Not 2 years had then passed from the end of the war, but our hopes for the postwar world were already dimmed.

In the anguish of war, the world had resolved to build a new order in which peace, freedom, and justice would be secure. These aspirations were expressed in the Charter of the United Nations. If ever a document spoke the feeling in the hearts of all mankind, that document was the Charter.

It pledged that the nations would live together as good neighbors; that they would unite their strength to maintain the peace; that armed force would not again be used, save in the common interest; that they would work together to advance the well-being of all men everywhere.

That document was signed 5 years ago next Monday.

It was essential to the success of this organization, as Mr. Cordell Hull had said on April 9, 1944, that the major powers recognize and harmonize their basic interests.

The foreign policy of the United States was firmly founded on the belief that this could be done. We hoped that the union of our efforts with those of our Allies in time of war could be con-

tinued. To this end, we were determined to accommodate our basic interests with those of other powers.

That determination found expression in our actions.

Differences there were, but that was to be expected. We were prepared to look upon them as the natural residue of years of mutual mistrust. We were prepared to honor our wartime commitments and the security requirements of other nations. The overwhelming sentiment of our people favored settlement of our points of friction, as we regarded them, the immediate demobilization of our armed forces and the inauguration of the new era of peace.

But, as the ominous portents grew, doubt also grew as to whether one of our late allies was, in fact, intent on cooperation.

### **Review of Soviet Actions Since 1945**

The year of the San Francisco conference was also the year in which the Soviet Union renewed intimidating pressures upon its neighbors, Iran and Turkey. It was the year in which the Soviet Union, in violation of agreements on which the ink was scarcely dry, imposed governments of its own choosing on Bulgaria and Rumania and supported the imposition of a minority regime in Poland.

In the following year, 1946, the sequence of Soviet actions filled out an unmistakable pattern. This was the year in which the head of the Soviet state made it clear in a speech to his people that the wartime alliance with the non-Communist world was at an end. This speech was followed by a propaganda campaign of unrestrained hostility

<sup>1</sup> Delivered before the Harvard Alumni Association, Cambridge, Mass., on June 22 and released to the press on the same date.

against our country, which has continued to this day.

This was the year also in which Soviet leaders began a program of assistance to Communist-dominated guerrillas in Greece and increased their pressure on Turkey for control of the Straits. This was the year when Soviet action in Germany foreshadowed its intention to break up the four-power control arrangement and to Sovietize the Eastern zone, which it controlled. This was the year in which the Soviet Union walked out of the Security Council when called upon to honor its agreement to withdraw its troops from Iran.

In this year, also, the Soviet control of Hungary was consummated. In this year, the international Communist movement began its efforts to block the political and economic recovery of France and Italy by strikes and other disruptive activities of its parties in these countries.

The pattern was plain. Wherever the force of Soviet arms prevailed, the Soviet Union would take over virtual control. Where Soviet armed forces could not reach, the international Communist movement was used to gain control by subversion.

#### **American Response to Soviet Actions**

Three events which took place in 1947 helped to crystallize the American response to Soviet conduct.

The first of these was President Truman's message to Congress of March 12, requesting funds for the Greek-Turkish Aid Program. In his message, the President declared it to be the policy of the United States—

... to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures.

... We must assist free peoples to work out their own destinies in their own way.

The second event of 1947 was the speech of General Marshall from this platform on June 5th.

Its purpose was the revival of the working economy of the world so that free institutions could exist.

Less than 1 month later, the Soviet Foreign Minister, Mr. Molotov, walked out of the conference at Paris at which the European Recovery Program was launched.

That the Soviet Union would not only refuse to participate in the European Recovery Program but would also sabotage the effort was made ex-

plicit 2 months later at the founding of the Communist Information Bureau.

There, the Soviet delegate announced that the Soviet Union would bend every effort in order that the European Recovery Program be doomed to failure.

The Soviet effort to defeat the program did not succeed. But its decision to obstruct rather than participate did much to sharpen the cleavages of a divided world.

The third event in 1947 which helped to mark and to crystallize a development in American thinking was the London meeting of the Council of Foreign Ministers, and General Marshall's report to the American people upon his return, on December the 19th.

In analyzing the reason for the frustration we had encountered in our efforts to reach an agreement with the Soviet Union on Germany, General Marshall concluded—and this was a significant step in the development of our thinking—that until the political vacuum created by the war had been filled by the restoration of a healthy European community, we would not be able to achieve any genuine agreements with the Soviet Union.

Agreements between sovereign states, General Marshall reminded us, are usually the reflection and not the cause of genuine settlements.

This was the issue, he said: we would not have a settlement until the coming months had demonstrated whether or not the civilization of Western Europe would prove vigorous enough to rise above the destructive effects of the war and restore a healthy society.

As the issue became understood in these terms by the American people and the other people of the Western world, they responded with a succession of measures looking toward the strengthening of the free world.

The pace of this response was quickened by the Communist seizure of Czechoslovakia, 2 months later.

The formation of the Western Union and the signing of a defense treaty at Brussels in the early months of 1948 gave expression to the European resolve to unite both political and military strength in the common defense.

This country, in statements by the President and a resolution of the Senate, announced its support of these efforts and its desire to help them.

In his inaugural address of January 20, 1949, the President announced the intention of the

United States to enter into a treaty for the defense of North Atlantic Area and to supply military assistance to free nations.

#### **Success of U.S. Efforts To Strengthen Free World**

In the 17 months which have since passed, we have witnessed the rapid emergence of the North Atlantic community as a political reality.

An unprecedented rate of economic recovery has now brought the productivity of Western Europe, for the most part, above prewar levels. Long-range economic problems are being met with vigor and initiative. The nations of the North Atlantic community are building a common defense system for the primary purpose of preventing any further acts of aggression against this area.

These measures of coalescence and of strength evidence the determination of the free world that the Soviet Union shall not, by coercion or subversion, destroy the independence of free states.

Wherever free men and their governments have been determined to preserve their freedom and their independence and where assistance from the United States could help them to do so, we have given our help. Our aid is a supplement and not a substitute. We have seen, in China, that even help on a great scale cannot replace the will of the people and their government to preserve their independence.

Elsewhere in the world, the assistance and encouragement we have given to men who were stoutly helping themselves have been of decisive importance. In accordance with our American traditions and the responsibilities which our times have thrust upon us, we have exercised a position of leadership in strengthening the free world.

In the period we have been discussing, there have been a number of Secretaries of State in this country. There has been, however, but one President. The successive decisions—and they were hard decisions—by which this policy has been developed and applied were made by the President.

The consistency of purpose reflected in these decisions, which I have enumerated, is evident to all in retrospect. They are successive signposts, with a constancy of destination.

Our goal has not changed. We continue to strive for the fulfillment of the aspirations to which we dedicated ourselves in the war. We seek to realize the principles of the Charter of the United Na-

tions—a just and lasting peace, moderation and mutual respect among nations, the advancement of the well-being of mankind.

Our efforts to move toward this goal by agreement among nations have been confronted with a great obstacle. That obstacle is the inordinate ambition of the Soviet leaders, which is based on their delusions about the non-Communist world.

We are taking measures which will enable us to surmount this obstacle and move on toward our objective. This is the meaning of our efforts to strengthen the free world.

#### **Strengthening Measures To Prevent War**

I have said before—and it cannot be said too often—that war is not inevitable. It is the determined purpose of this country, and of the like-minded nations working with us, to prevent war. We are building our strength in order that we may eliminate the conditions which could give rise to war, and we are on the threshold of a new period in the successful forward-movement of this effort. We face this new period with confidence, but we must be very clear in our minds about our purposes in the times that lie ahead.

We do not arm for purposes of conquest. Our strength is a shield, whose purpose is twofold.

First, our strength is essential to a progressive and successful resolution of the difficulties which today beset the international community.

The obverse of General Marshall's conclusion after the London meeting of the Council of Foreign Ministers is that when the political vacuum has been filled by the restoration of a healthy European community, greater progress will be possible in settling differences in the world. Strength is not a substitute for discussion and accommodation.

As the leaders of the Soviet Union come to appreciate that their analysis of the world situation and their policies flowing from that analysis have been incorrect, the possibility for reasonable settlements of matters affecting the stability and progress of the international community will increase.

Until the Soviet leaders do genuinely accept a "live and let live" philosophy, then, no approach from the free world, however imaginative, and no Trojan dove from the Communist movement, will help to resolve our mutual problems.

This does not mean that discussion should not take place or that every effort should not be made



to settle any questions which are possible of settlement.

It is our policy to be, as General Marshall put it, the first to attend at international conference tables and the last to retire.

We shall continue, through diplomatic channels and through the United Nations, to keep open every possibility for the adjustment of differences, and we look forward confidently to the day when the gradual process of accommodation will begin to make itself felt.

To this end, we shall continue to give unfaltering support to the United Nations. In addition to the constructive work it is now doing, the United Nations is a symbol of our hopes for harmony among nations.

The second purpose of our strength is to enable us to carry ahead a creative relationship with the other nations of the free world. Our traditions and our self-interest direct us toward the great constructive tasks before us among the peoples of the free world.

Democracy is a dynamic idea in the world. Many millions of people look to this country for leadership in applying both the moral and the practical idea of democracy to the problems which we and they face. It is our responsibility to demonstrate the unlimited creative possibilities of the democratic process for "better standards of life in larger freedom," in the language of the United Nations Charter.

#### **Community Sense Among Free Nations**

It is a fact of considerable importance, although hardly recognized, that much of what the free world has been doing to build its strength has been in itself a great creative effort. The means by which free men have sought to strengthen their defenses have led, perhaps to some degree unconsciously, to a community sense among free nations. Both the North Atlantic community and the community of the American states are institutions founded on principles which must eventually prevail in a wider world.

Unlike the alliances of a former day, these associations among states produce a community of peoples where no dominance exists, a community which is based on generous and willing cooperation and on the primacy of individual liberty. These are communities in which rules of mutual aid and self-help are cardinal and in which the duty and responsibility of aiding other free peo-

ples to achieve their own development in their own way are fully recognized.

Thus, the weaving of a community sense among the nations who have joined their strength in these common efforts is a substantial step toward the realization of a world order based on consent and dedicated to peace and progress. It has accomplished, in a great area of the world, a fuller realization of the principles of the Charter of the United Nations since it has advanced international cooperation to maintain the peace, to advance human rights, to raise standards of living, and to promote respect for the principle of equal rights and self-determination of peoples.

The great effort in which we are engaged to build a North Atlantic community is not merely a means. It is in itself a creative act of historic significance.

It is often true in history that men acting under immediate compulsion are only partly aware of the great consequences of what they have set in motion. Measures taken to suit a narrow purpose, if conceived in harmony with man's moral nature, may leave a great creative legacy.

The barons at Runnymede were seeking relief from the oppressive and arbitrary actions of a despotic king, but the principles they enunciated, embodied in the Magna Carta, laid the basis for the restraints upon the state which are fundamental to individual liberty.

The complaints of the American colonists about taxation, which might conceivably have been settled through diplomatic negotiation, instead, gave rise to that enduring statement of the inalienable rights of man, the Declaration of Independence.

It is in the nature of democracy to recognize that the means we choose shape the ends we achieve. In a democracy, there are no final ends, in the sense of a Utopia.

The followers of Karl Marx endure the dictatorship of a police state in the delusion that they are ascending to a classless society. But a democratic society cannot employ means which belie and indeed destroy the possibility of achieving its goals. Democratic society, by its conduct from day to day, from week to week, and from year to year, is creating its own future.

If we would continue to move toward our goal of a world order in which peace, freedom, and justice may be secure, the means we choose to

*(Continued on page 38)*

## KEEPING PEACE IN THE CARIBBEAN AREA

*by Edward A. Jamison*

On April 8, 1950, in the Council Chamber of the Organization of American States (OAS), in the Pan American Union building at Washington, the representatives of 21 nations of the Western Hemisphere took part in an event of profound importance to peace and security among their own governments and of significance to the peace of the world. Meeting as representatives of governments of sovereign equality, these members of the Council of the OAS, who were acting provisionally as Organ of Consultation under the Rio treaty, brought to a successful conclusion (without a dissenting vote in 6 hours of continuous voting and debate) the second and third successful applications of that inter-American pact to controversies between American states.

Here was a convincing demonstration of inter-American solidarity in action. For over 3 months, the consultative body of the OAS dealt with charges, by one or another government of the Caribbean area, that other American governments or their officials had tolerated or even openly supported activities directed from abroad against their own existence. During that period, an Investigating Committee of five members of the Organ of Consultation carried out an intensive and thorough examination within all the countries directly concerned of the factual bases of these charges and produced an objective and frank report.

The report, which has been made public, was the basis upon which the Organ of Consultation on April 8 took firm and constructive action. It approved resolutions which (1) made clear the culpability of certain of the accused governments; (2) called upon these governments to take steps

to remove the causes of the difficulties and to restore their relations to a normal, friendly basis; (3) indicated that repetition of the disturbing events might well require more extreme action under the Rio treaty; and (4) laid the groundwork for other general action to eliminate the causes of underlying difficulties.<sup>1</sup>

### **Controlling International Strife Among Countries**

The problems that revolutionary irregularities create are not new in the general area of the Caribbean, elsewhere in the Americas, or, for that matter, in the world. For generations, and frequently even in recent years, armed groups and individual adventurers have sought by various means to overthrow by force one or another of the established governments of the area. Nor is such action necessarily a strange phenomenon among countries that had originally achieved independence by revolutions, at times with the active assistance of other governments and peoples. However, the growth of concepts of international order and the development of procedures for making them effective have produced an increasing recognition of the fundamental fact that governments have a responsibility, if only as an aspect of maintaining their own independence, of preventing irregular activities which they can control and which have the purpose of starting or promoting civil strife in neighboring countries.

<sup>1</sup> For full texts of the resolutions approved on Apr. 8, 1950, see BULLETIN of May 15, 1950, p. 771. Copies of the resolutions, which have been issued in English, Spanish, French, and Portuguese, may also be obtained from the Pan American Union, Washington, D.C.

This purpose was the meaning of the action that the American Republics took in 1928 at Habana when many of them signed a treaty proscribing such activities. Such, also, has been one of the purposes, since that time, of numerous other inter-American actions.

In 1947, the American states drew up the Inter-American Treaty of Reciprocal Assistance, "the Rio Treaty," which provides inter-American machinery for dealing not only with armed attack or serious threats from outside the hemisphere and with open conflicts between American states but also with any other fact or situation that "might endanger the peace of America" and "that affects the inviolability or the integrity of the territory or the sovereignty or the political independence of any American State." The quoted language is from article 6 of that treaty.

#### **Applying the Rio Treaty**

The Rio treaty became effective in December 1948 when the necessary ratifications by 14 governments were completed. Shortly thereafter, Costa Rica invoked the treaty, and its procedures were applied to a dispute between that country and Nicaragua, a dispute which was settled to the satisfaction of both parties by their concluding, on February 21, 1949, and subsequently ratifying, a treaty of friendship. This settlement marked the successful culmination of the first application of the Rio treaty.<sup>2</sup>

On January 3, 1950, an American state again invoked that treaty. The Government of Haiti, through its representative on the Council of the OAS, Ambassador Joseph L. Dejean, on that date, requested the Chairman of the Council, Ambassador Luis Quintanilla of Mexico, to place before that body charges by Haiti that the Government of the Dominican Republic had committed acts of intervention which affected the territorial inviolability, the sovereignty, and the political independence of Haiti. The charges also included the accusation that officials of the Dominican Government had aided in the preparation of a conspiracy in which an armed band was to overthrow the established Government of Haiti. This armed band, according to the charge, was proceeding from the Dominican Republic under the leadership of a former Haitian army officer, Colonel Roland,

who had been in exile in that country for some time and whose activities had been the basis of earlier action by Haiti under inter-American procedures for settling disputes. Although Haitian officials had thwarted the conspiracy, Haiti held that the situation was sufficiently serious to warrant action under article 6 of the Rio treaty.

Chairman Quintanilla lost no time in calling a meeting to consider the Haitian invocation of the treaty. When the representatives gathered on January 6, the Haitian Ambassador, who had only recently been welcomed as the new representative of his Government on the Council, expounded further the bases of the Haitian complaint.

Ambassador Joaquín Salazar of the Dominican Republic replied by reading a formal note in which, in the name of his Government, he not only denied categorically the Haitian charges but also called upon the Council to apply the terms of the Rio treaty to the situation which the Dominican Republic claimed had developed as a result of failure of several other governments of the Caribbean over a period of years to carry out their international obligations. This situation, he indicated, had endangered and continued to endanger the sovereignty of his government.

#### **Debate on the Haitian Charges**

The debate which ensued demonstrated that most of the Council members clearly felt that valid grounds existed for putting the treaty procedures into effect. Whether this action should be taken with respect to the specific charges presented by Haiti alone, or whether the more general situation presented by the Dominican Government (in which other countries figured) should be dealt, with as well was not, at first, clear. Actually, the Council produced no definitive decision on the issue at the January 6 meeting, but the importance of the charges that Ambassador Salazar brought out was recognized by reference to them in the preamble of the resolution finally approved.

The resolution set for the precise decisions, however, on applying the treaty and declared the need for a full investigation of the facts. The Council followed the procedure for which an important precedent had been set in the Costa Rica-Nicaragua case of the previous year. In the first place, the Council convoked the Organ of Consultation and called a meeting of Ministers of Foreign Affairs, with time and place of the meeting not specified.

<sup>2</sup> For an account of the situation by W. Tapley Bennett, Jr., see BULLETIN of June 5, 1949, p. 707.



In conformity with article 12 of the treaty, the Council itself may act provisionally as Organ of Consultation until the meeting of Foreign Ministers takes place. The significant precedent of the Costa Rica-Nicaragua case showed, however, that acting provisionally as consultative organ without the actual holding of the Foreign Ministers meeting, the Council may reach a satisfactory resolution of the problem.

#### **Appointment of Investigating Committee**

The second important decision embodied in the resolution of January 6 was that the Council should appoint an Investigating Committee to determine the facts upon which subsequent decisions of the consultative organ would be based. The view that an impartial baring of the facts of the situation would in itself have a salutary effect upon the uneasiness which had so long characterized relations among governments in the area had considerable basis. Whatever delay might be entailed was felt to be expendable, in this instance, because, on the whole, the charges did not point to a threat or international dereliction of such imminence that a thorough search for the truth could be dispensed with. Many of the charges dealt with activities which, however important in producing a state of tension, were incidents of the past.

Shortly after the meeting of January 6, Chairman Quintanilla announced the appointment of the representatives on the Council to the Investigating Committee. These were Ambassadors José Mora of Uruguay, Eduards Zuleta Angel of Colombia, Guillermo Gutiérrez of Bolivia, and Paul C. Daniels of the United States, and Minister Alfonso Moscoso of Ecuador. At an organizational meeting, held the following day, Ambassador Mora was chosen chairman of the group.

The resolution approved by the Council on January 6 stipulated that the *Bases de Actuacion*—or terms of reference—of the Investigating Committee would be described in detail in a subsequent meeting of the Council, acting provisionally as Organ of Consultation. Accordingly, a second meeting was held on January 11, in which it took significant actions and set important precedents.

#### **Decision To Discuss Dominican Case Separately**

Perhaps, the most significant decision of this meeting was that the Organ of Consultation should take up the Haitian and Dominican petitions separately—dealing with the note presented by Haiti

as “Case A” and with that presented by the Dominican Republic as “Case B.” In a sense, the necessities of the voting procedures of the Rio treaty, which provides that “the parties directly interested” shall be excluded from voting when the Organ of Consultation is dealing with a situation or dispute between American states, dictated this decision. The Haitian petition was based on charges directed against the Dominican Government, while the note of the latter Government referred to a more general situation, covering a considerably longer period, in which several other governments were charged with international dereliction. On the basis of agreement on the distinction between the two cases, the Council considered Haiti and the Dominican Republic to be the directly interested parties in “Case A”; and it also approved the document setting forth the functions, powers, and attributes of the Investigating Committee for dealing with that case.

The Council generally assumed that the Investigating Committee would examine the facts of both cases. A difficult problem, however, arose when the Council attempted to determine, for voting purposes, which governments were “directly interested” in “Case B.” Although the Dominican note had mentioned several governments, Ambassador Salazar indicated early in the meeting that his Government regarded only Haiti, Cuba, and Guatemala as parties to an existing dispute or situation. Since the immediate issue concerned the voting privilege and since Guatemala, because of not having ratified the Rio treaty, held no voting right, the problem was reduced to determining whether Cuba and Haiti were, in fact, directly interested parties to “Case B.” Considerable debate followed on this issue with general insistence that a government may become “directly interested” either through accusing others or by being itself accused of an international wrongdoing. This determination the Council decided did not in itself imply culpability on the part of the accused. Finally, the necessary two-thirds majority concluded that the Dominican Republic, Haiti, and Cuba were the Governments, among those which had ratified the treaty, which were “directly interested” in “Case B.”

The Council, thus, approved the Investigating Committee's *Bases de Actuacion* as applicable to both cases. This document described in detail the powers and functions of the Committee, which had been charged, in general terms, in the resolution of

January 6 with conducting an "on the spot investigation of the facts and their antecedents." Its terms authorized the committee "... to hear witnesses, to receive depositions and to avail itself of any other sources of information" which it might consider pertinent to its task. Furthermore, the terms instructed it to prepare a report or reports containing a recital of the facts, pertinent documentary material, and its conclusions as a result of the investigation. Meetings of the Committee and the transmittal of its report to the Organ of Consultation were to be in private session, but the Council decided that the consultative body would decide on the documents to be made public as well as other action that might be considered advisable.

The Investigating Committee planned to visit the countries which figured in the charges of current importance; but since it could accomplish considerable preparatory work at Washington, the Committee immediately initiated a series of meetings in which it heard the representatives of governments, including the Foreign Minister of Haiti, high Foreign Office officials of the Dominican Republic, and others. In this manner, the Committee prepared the way for a thorough and intensive examination in the countries concerned of the basis for charges which were both specific and complex.

#### **Investigating Committee's Examination**

This examination, which began in Haiti, lasted for more than 3 weeks, during which time the Committee also visited the Dominican Republic, Cuba, Guatemala, and, briefly, Mexico. The activities of the Committee, in this period, included interviews both of a formal and informal nature with the Presidents and high officials of each of the directly interested governments, hearings of the testimony of numerous witnesses who had either participated in or were acquainted with details of revolutionary irregularities, visits by members of the Committee to areas in which activities were either alleged to have been carried on or which had significance for some other reason, to say nothing of constant reviewing and ordering of data which were acquired. The Committee left no doubt that it was determined to make its investigation as thorough as it was impartial. The work of the Committee, particularly in this phase, together with the assistance given by all the gov-

ernments involved, offers an encouraging example of the effective implementation of procedures for peaceful settlement undertaken by a regional collective security body.

When the Committee returned to Washington, it undertook immediately the task of winding up the investigation and analyzing the extensive data compiled regarding the facts of the cases. Furthermore, the Committee was obligated to point out what it believed to be the basic factors contributing to Caribbean irregularities and offer its conclusions regarding steps which could eliminate these factors and thereby avoid repetition of the difficulties. It gave considerable attention to preparing general considerations and drafting 5 resolutions, covering all essential aspects of the problem, which the Organ of Consultation may propose for action.

The Council of the Organization, acting provisionally as Organ of Consultation, received the Committee's 73-page report at a special meeting in the Council Chamber on March 13, 1950.<sup>3</sup> The Council had decided, in its previous meeting, that the session in which it received the report would begin as a closed meeting. No objection was expressed though a suggestion was made that the doors be opened immediately to the press and public.

The report itself was withheld from publication for 6 days in order that the representatives of distant governments might have time to forward it to their Foreign Offices. The manner in which the contents of the document appear to have been kept in confidence until the date of publication, which was March 20, 1950, is a striking example of the cooperative spirit which all the members of the Council showed throughout the entire period.

When the consultative body released the contents of the document, the governments and the public quickly appreciated the work the Committee had accomplished. This report was no whitewash, nor was it, in any sense, a surrender to diplomatic camouflage. Rather, it was a straightforward, clear-cut analysis of the factual basis of charges made by two governments, with conclusions which fixed responsibility and proposed steps

<sup>3</sup> The full text of the report of the Investigating Committee has been issued in English, Spanish, and French by the Pan American Union, Washington, D.C., as Document C-I-67. Copies may be obtained by writing to the Pan American Union.

for a solution of the immediate and underlying difficulties. On March 22, Secretary Acheson expressed the full support of the United States for the Committee's conclusions and recommendations and praised the Committee for the thoroughness and objectivity of its work.<sup>4</sup>

Because of its significance in the development of the inter-American peace-keeping machinery, as well as its importance in setting forth the basic facts and considerations in the cases dealt with the report itself merits careful attention as a historic document. The following presents a summary of certain of its highlights.

#### **Summary of Highlights in the Report**

The Committee examined, first, "Case A," resulting from the Haitian petition of January 3. It found that several of the charges by Haiti against the Dominican Republic had considerable basis in fact. Of these charges several concerned the activities of two Haitian exiles who were said to have engaged in attacks upon the Haitian Government by radio from Ciudad Trujillo. The Committee held that failure of the Dominican Government to prevent incitement of this kind was in violation of the Joint Declaration that each government had signed on June 9, 1949, in which each had indicated that it would not tolerate activities in its territory that had as their object the disturbance of the internal peace of the neighboring country. Recognizing the particular importance of this Joint Declaration, as well as the subsequent reaffirmation of it by the Dominican Government, the Committee concluded that the Dominican Government should have prevented certain of the activities which were found to have taken place.

Of more immediate concern, however, was the Haitian charge that the abortive plot of November-December 1949 (which Haitian police had uncovered and suppressed) had involved, among other things, contact between conspirators at Port-au-Prince and the Haitian exile at Ciudad Trujillo, ex-Colonel Astrel Roland, and that Dominican citizens and certain Government officials had supported the preparations for the conspiracy. In this charge the Committee found much truth. Not only did it establish the fact that a conspiracy existed between persons in Haiti and Roland for the purpose of overthrowing the President of Haiti, but it also found that certain Do-

minican officials aided this action, which a Dominican diplomatic officer at Port-au-Prince had transmitted \$2,000 to the conspirators, and that a Dominican citizen and former high official "... played a principal part in said cooperation."

In dealing with the petition of the Dominican Republic, "Case B," the Committee indicated that the complexity and scope of the complaints made difficult an analysis of each in detail. After it had dealt with certain examples of events, indicative of the "state of unrest" of previous years, which illustrated that no one government had felt exclusively the problem of revolutionary activity, it did analyze three of the situations which formed a main basis of Dominican charges and the relation of those to the "present situation." It found that two of these, the Cayo Confites expedition of 1947 (which Cuba eventually thwarted) and the attack at Luperon in June 1949 (in which one plane actually made a water landing in Dominican territorial waters) had gained considerable headway as a result of toleration and, in some cases, open support by officials of two Governments, Cuba in the former case and Guatemala in the latter.

A third Dominican accusation was that fresh preparations for warlike action against the Dominican Government were undertaken, with aid from the Cuban Red Cross, late in 1949 in Cuba. The accusation also charged that the Cuban Red Cross had engaged in constructing an airfield in Cuba which was to be used as a starting point for an attack on the Dominican Republic. In this case, the Committee found that, although certain unusual circumstances surrounded the control of and activities carried on in the name of the Cuban organization, the proposed airfield clearly could not be used to facilitate a military invasion of the Dominican Republic.

Although the Committee found that the irregularities in connection with the above specific Dominican complaints were matters of the past, it stated that certain of the circumstances which had contributed to them continued to exist and that these were giving rise to new factors "indicative of an abnormal situation in the Caribbean zone." Specifically, it found (1) that various groups of exiles "... not only persist in their struggle, but also seek surreptitious support from governments"; (2) that some governmental authorities were indicating a willingness to keep these exile groups; (3) that certain agents of revolutionary movements were occupying and using official posi-

<sup>4</sup> BULLETIN of Apr. 3, 1950, p. 523.



tions for their revolutionary purposes; (4) that collections of war materials used in earlier revolutionary attempts and a "professionally subversive element in certain sections" which were insufficiently controlled still existed.

All of these facts led to the conclusion that elements remained which were likely to create war-like situations.

After it had dealt with the immediate factual situation in each case, the Investigating Committee set forth a series of basic factors which, it believed, had contributed to Caribbean irregularities and presented conclusions on steps which the countries concerned might take to eliminate such factors and avoid repetition of the irregularities.

Among those factors upon which the Committee recommended specific action to the Organ of Consultation were:

1. The limitations of the 1928 Convention on Duties and Rights of States in the Event of Civil Strife.<sup>5</sup> This treaty, the inter-American instrument which is specific and detailed regarding the duties of states in situations such as those which had troubled the Caribbean area, required review in order to determine whether it should be made more adequate and up to date in fixing the obligations of states in preventing "... the preparation and carrying out of activities which have the purpose of fomenting civil strife in other countries." Although some members made suggestions for strengthening it, the Investigating Committee's primary recommendation was that competent inter-American organs should study this matter thoroughly to determine what effective measures they could work out on the matter.

2. The problem of political asylees, refugees, and exiles. In this connection, the Committee noted explicitly the problems created by the existence of an increased number of political exiles in the Caribbean area, some with sincere and idealistic purposes and others whose motives were adventurous or mercenary. This problem is, indeed, implicit in almost every phase of the Committee's report. Here, again, the Committee proposed that competent organs of the Oas make a careful study to determine whether further inter-American action might be practical or desirable.

3. The lack of adequate measures to give effectiveness to the principle of representative democ-

racy, particularly as reflected in the free electoral process. The relevance of this fundamental problem, although not set forth in explicit terms, was implicit in many phases of the situation which the Committee had examined. The difficulty of finding means within a framework in which the non-intervention commitment is precise and specific, for promoting adequate respect for representative democracy is quite clear, but the proposal that the matter be subjected to careful study underlined the need for seeking such means.

One aspect of the relation of the principle of representative democracy to inter-American commitments was, however, thought worthy of clarification: the Committee proposed that the Organ of Consultation declare in precise terms that, whatever might be the need for giving representative democracy more effectiveness, it could find no justification for asserting that the promotion of that principle authorizes a government or governments to violate international commitments regarding nonintervention.

4. The need for some means to assure fulfillment of the recommendations which the Organ of Consultation might make with regard to the problems presented to it. The establishment of a committee with adequate powers to observe compliance with whatever steps the Organ of Consultation might agree upon was, therefore, proposed.

On the basis of the facts presented, the conclusions reached on the Haitian and Dominican complaints, and these general considerations, the Investigating Committee prepared drafts of resolutions, based upon the consultative organ's drafts, which, in effect, summarized the Committee's conclusions regarding the factual situation in each case and the steps which might be taken to correct them as well as to deal with the general situation. These, together with certain additional proposals on more general questions, were the matters on which the Organ of Consultation based its action of April 8, referred to above.

At the meeting on March 13, the consultative organ agreed that it would give approximately 3 weeks for governments to examine the Investigating Committee's report and formulate their views on its recommendations.

The consultative organ began its consideration on April 3. In this meeting and in others on the two following days, it heard the points of view of various governments, including those most directly involved, and, during this time, members presented

<sup>5</sup> 46 Stat., 2749.

various amendments to the Investigating Committee's draft resolutions. The first of these meetings took on added significance since Foreign Ministers Ernesto Dihigo of Cuba, Ismael González Arevalo of Guatemala, and Vilfort Beauvoir of Haiti were present.

The consultative organ's action culminated these preparatory meetings and also concluded consideration on the two cases.

With regard to that case in which Haiti was the petitioner, the resolution of April 8 indicates that irregularities for which the Dominican Government had responsibility were contrary to inter-American principles and that, although the danger to peace which they represented had been dispelled, their repetition would call for further action under the Rio treaty. The resolution notes, however, that the repeal of war powers which President Trujillo had obtained in December 1949—a grant of special power to declare war which had figured in the Haitian petition and on which Cuba also had requested action by the Organ of Consultation—together with Dominican legislation to prevent subversive activities in its territory, demonstrated the intention of that Government to maintain peace and prevent events of the kind which had been the basis of the Haitian complaint.

Nevertheless, the resolution formally requests the Dominican Government to "take immediate and effective measures to prevent government officials from tolerating, instigating, encouraging, aiding or fomenting subversive and seditious movements against other governments" and to comply strictly with the Joint Declaration of June 9, observance of which was held to be equally the responsibility of Haiti. Furthermore, the consultative organ pointed out to both governments certain means for strengthening their relations. It requested both to make every effort, within limits of constitutional authority, to avoid systematic and hostile propaganda against each other or other American governments.

The resolution dealing with the case emanating from the Dominican complaint contains a clear indication that revolutionary irregularities had been directed against the Dominican Republic in Cuba in 1947 and in Guatemala in 1949. Furthermore, the resolution establishes the fact that officials of those governments had not only expressed their sympathy with these movements but also had, in some cases, lent them aid. Certain of the facts

determined were held to be contrary to basic inter-American norms, and the resolution indicates that the irregularities, if repeated, will call for further action under the Rio treaty. In this case, the resolution notes that declarations "formulated by the Chief Executives of Cuba and Guatemala, to which reference is made in the Report of the Committee, constitute a guaranty against future recurrence of acts of this kind."

The resolution formally requests the Governments of Cuba and Guatemala, however, to take adequate measures to prevent the existence in their territories of armed groups conspiring against other countries and to control war materials of such groups as well as any illegal traffic in arms. Favorable action on the resolution brought the withdrawal of several more drastic proposals for change. As a result of an amendment to this resolution, the responsibility of the Dominican Government for action contrary to inter-American harmony was declared, and that Government was also called upon to take adequate measures to insure absolute respect for the principle of non-intervention. Subsequent portions of the resolution (1) make a request, similar to that described above, regarding hostile propaganda of all four directly interested governments; (2) call upon Cuba and the Dominican Republic to settle speedily an outstanding controversy; and (3) reaffirm the 14 conclusions approved by the Inter-American Peace Committee on September 14, 1949, that contained a general restatement of existing principles pertinent to the international difficulties among Caribbean countries.

As a means of insuring effective fulfillment of steps that the Organ of Consultation agreed upon, the Investigating Committee recommended the establishment of a committee with authority to request and receive pertinent information and to promote, if necessary, a new meeting of the consultative organ itself. This proposal, involving significant precedent for future action, caused a degree of uneasiness on the part of certain representatives who feared that it might impinge, in some way, on the principle of nonintervention. Mexico proposed certain amendments that tempered such apprehensions, and the consultative organ approved the creation of a continuing committee, provisional in character.

This committee, to which Chairman Quintanilla appointed the five members who had served on the Investigating Committee, is to inform itself of the

manner in which the two resolutions are carried out and to report to all the American governments within 3 months after April 8, and again when its work has been completed. The committee, which has been installed, has taken the name "Special Committee for the Caribbean" and is under the chairmanship of Ambassador Mora of Uruguay. The consultative organ gave unanimous approval in the April 8 meeting to the Investigating Committee's declaration that the principles of representative democracy, of suffrage, and of participation in government do not authorize any government or group of governments to violate inter-American commitments on nonintervention; the representative of Guatemala, although unable to vote on the resolution, stated his Government's full approval of the concept it expressed.

A fifth resolution, approved unanimously, stipulates that the Council of the Oas, through its competent organs, shall initiate studies of the difficult and complex questions that the Investigating Committee propounded.

Such studies include the following subjects: (1) the possibilities of stimulating and developing the effective exercise of representative democracy, with special emphasis on suffrage and the principle of free elections; (2) means for strengthening and improving the 1928 Habana Convention, prescribing measures governments should use to prevent the preparation of activities designed to foment civil strife in other countries; and (3) the "regimen of political asylees, exiles, and refugees."

That practical achievement rather than academic assessment is anticipated as a result of these studies is attested by the careful stipulation of procedures for handling them. These require that, in the case of the 1928 Habana Convention, a document be produced to be submitted directly to the governments and that, on the other items, topics be prepared for action at an Inter-American Conference, the supreme organ of the Organization of American States.

The consultative organ approved other resolutions that urge the governments directly concerned to normalize their mutual relations as soon as possible and express the hope that governments which have not ratified basic inter-American instruments will give this matter prompt attention. Finally, the Organ of Consultation, after stating that the members of the Investigating Committee "have deserved well of the nations of America"

and merited a vote of "confidence and gratitude," formally terminated the action of the Council of the Organization under the Rio treaty on the cases.

### Conclusion

The success of international action may appear to be measured in terms of resolutions and documents, detailed and often excessively wordy. Nevertheless, the documents resulting from the actions of the inter-American Organ of Consultation summarized above reveal, in themselves, achievements in the orderly development of freedom and international security in the Western Hemisphere. Furthermore, many of the steps which the various bodies took in producing that finished work on specific cases constitute invaluable precedents which will either make the need for future action less likely or strengthen the means for meeting threats which, in the future, may unfortunately occur.

The documents alone, however, can never tell the whole story. Any impression that the 3 months in which the inter-American peace machinery was at work on these problems were completely devoid of rivalry, the struggle for political advantage, or even hostility would be misleading. Issues were involved which touch most directly upon the sensitive spots in relations among the American states. Basically, though, the spirit of the "convivencia interamericana"—a term which no English translation can adequately express—characterized the proceedings from their beginning to the successful outcome of the meeting of April 8. This spirit was expressed in the unending efforts of all the members of the Investigating Committee in their impartial search for facts, in the cooperative assistance that the governments directly involved gave to the Investigating Committee, and in the manner in which the losers as well as those who had been successful accepted the hotly debated issues, once they were solved.

The ultimate test of success for this venture in inter-American peace-keeping will, of course, depend upon the long-range results in relieving tensions and eliminating the basic causes of the irregularities from which it stemmed. Early indications of more than transitory success in this regard are encouraging. In any circumstances, the inter-American community has, once again, demonstrated its capacity to use effectively the machinery for peace and security which it has devised.



## **Upholding Principles and Rights of Others in the Process of International Negotiation**

*by Philip C. Jessup*  
*Ambassador at Large*<sup>1</sup>

Negotiation is as old as human society. The goal toward which we strive is the place where the processes of negotiation eventually prevail and the drums of war are silenced by the triumphant symphony of peace. That is the goal of the foreign policy of the United States. International negotiation is a process and means, not an end in itself. To be successful, it must take place in a situation where nations, for whatever reason, are willing to reconcile their interests with each other. The basic difficulty which we should keep in mind in discussing the role of negotiation is the difficulty of creating a situation wherein nations are willing to reconcile and adjust their interests.

The process of international negotiation requires concessions but not concessions at the expense of principles or of the rights of others. Appeasement is again a distortion of negotiation and creates instead of allaying tension.

There is unfortunately abroad in the world today a philosophy which sees no evil in tension. That philosophy, put into practice on a national scale, is the natural and inevitable result of a disregard of what the Charter of the United Nations calls "faith in fundamental human rights, in the dignity and worth of the human person." The system of the Soviet police state, like that of the similar Nazi regime, sees no value in the individual. From this point they move with some logic and no humanity to the denial of the concept of the equality of states which is one of the principles on which the United Nations is based. The police-state system cannot confine its theory of brutal suppression within its own frontiers. This is indeed the absolute power which corrupts absolutely. In international relations, it results in the practice which we witness constantly of denying the right of smaller states to assert or even to formulate

their own policies. Some smaller states have unhappily been forcibly sucked into the Soviet orbit and are compelled as satellites to revolve around the Soviet Union. That is why a Bulgarian can be tried for treason, not to Bulgaria but to the Soviet Union. That is why Yugoslavia is itself considered traitorous—again to the Soviet Union.

### **Difficulty in Peaceful Adjustments With U.S.S.R.**

The process of negotiations between a government which, like ours, believes in freedom and a government like that of the Soviet Union which does not is obviously difficult. We have different sets of values and different objectives. It is difficult, but it is not impossible. There have been situations in which we have negotiated with the Soviet Union, and we are prepared to do so again. Particularly we are always ready to carry on that form of multipartite negotiation which is the essence of the United Nations system. The difficulty which for the time being blocks that channel of negotiation is the refusal of the Soviet Union to participate in the various organs, commissions, and committees of the United Nations because they are unwilling to have the majority decide how the question of Chinese representation should be settled.

### **Control of Atomic Weapons**

I should like to discuss by way of example one question which is of prime importance and on which the Soviet Union now refuses to negotiate in the United Nations though called upon by the General Assembly to do so. The question is that of the international control of atomic weapons.

Immediately after the revelation to the world of the discovery of the atomic bomb, in August 1945, the United States voluntarily took steps to insure that the development of atomic energy would be placed under international control and

<sup>1</sup> Excerpts from an address delivered at Hamilton College, Clinton, N.Y., on June 11 and released to the press on the same date.

that atomic energy would be used only for peaceful purposes.

The first step was a meeting between the President and the Prime Ministers of the United Kingdom and Canada in November 1945. The three agreed upon a declaration calling for international action under the United Nations.

A month later, in December 1945, the Secretary of State met in Moscow with the Foreign Ministers of the United Kingdom and Soviet Union and agreed to sponsor a resolution in the United Nations setting up an international Atomic Energy Commission. This resolution was unanimously approved by the General Assembly at its first session in 1946, and a Commission was established within the United Nations.

This Commission and its Committees held over 200 meetings extending over a period of almost 2 years. After thorough study, a majority of the members of the Commission evolved the basic outlines of an effective international control system for atomic energy. Only the Soviet Union and its satellites disagreed with the majority findings. They proposed a completely different plan which the majority found not to be a plan for effective control. In 1948, the Commission finally reported the deadlock which had developed to the Security Council.

The deadlock in the Commission was paralleled in the Council. The Council was barred from approving the Commission's majority plan by the Soviet veto.

The reports of the Commission were then considered by the General Assembly, and 40 member governments voted to approve the Commission's proposals. Only the Soviet bloc voted against them. The Assembly called on the Commission to resume its work. It also called on the permanent members of the Commission—the permanent members of the Security Council plus Canada—to consult together to determine if a basis for agreement existed. The Soviet representative opposed this proposal. He stated that there was no basis for consultation, and that such discussions were unnecessary.

After the Assembly session, the Commission did start meeting again. But it found itself still confronted by the impasse created by the Soviet Union's unwillingness to negotiate on the basis of a plan which would provide adequate safeguards. After long deliberation the Commission concluded that no useful purpose was being served by continuing discussion until such time as the permanent members found a basis for agreement.

Last fall, at New York, after several consultations among the permanent members had resulted in no progress, the General Assembly considered further the work of the Atomic Energy Commission. The Assembly reaffirmed its support for the United Nations plan. The Assembly again called for consultations among the permanent members and requested them to explore all avenues

which might lead to agreement. These consultations were begun. They were suspended in January of this year as a result of the Soviet walk-out.

The plan evolved by the majority of the members of the United Nations involves the concept of an international agency which would manage all atomic activities on behalf of the signatory nations. This plan was based on proposals submitted by the United States in 1946. We are justly proud of these proposals. We offered, in effect, to turn over our atomic resources and capacity to an international authority so that these resources could benefit all mankind, and so that the world would not live under the threat of an atomic war. Our original proposals were modified and elaborated in negotiations although their essential objectives were retained. The plan finally worked out was not an "American plan" but one formulated and approved by the overwhelming majority of the United Nations. It is a United Nations plan.

The international agency to be established under this scheme would:

- a. Own all uranium and thorium, the basic source materials, from the moment they are mined until they are finally consumed as nuclear fuel.
- b. Own, manage, and operate all facilities using or producing dangerous quantities of nuclear fuel—such as Oak Ridge and Hanford.
- c. License all nondangerous facilities and activities operated nationally.
- d. Carry on research.
- e. Exercise thorough-going rights of inspection and survey in order to locate new ore sources and to detect or prevent clandestine activities. Military reservations would not be exempted from inspection.

The agency would be a servant of the signatories. The principles governing the agency's policies in the production and stockpiling of production facilities would be spelled out in the agency's charter. The treaty would also provide for the prohibition of the manufacture, possession, and use of atomic weapons. And it would make that prohibition effective by the control system it established. The treaty would provide for the disposal of existing stocks, would prescribe the stages whereby controls would go into effect, define violations, and provide effective enforcement measures.

The Soviets reject the concept of a strong international authority. Atomic operations would continue mainly on a national basis. Their proposals provide that:

- a. Atomic weapons would be "prohibited" by a paper convention.
- b. An International Control Commission would be established but its powers would be limited to making recommendations to governments and to the Security Council, where the veto would apply. Any one of the permanent members of the Council could thus prevent action.
- c. Nations would continue to own materials and

own, operate, and manage all dangerous atomic energy facilities.

d. Atomic plants would be subject to some kind of "periodic" inspection. But the Soviet Union has not been clear as to how this inspection would work. The Control Commission would have "access" to facilities and "acquaintance" with production operations, but inspections would be "periodic" and "normally inspectors will visit only declared plants."

The basic issue between the United Nations plan and the Soviet plan is that of effective versus ineffective control, of real control versus a pretense of control. The United Nations plan recognizes that the nature of atomic energy production dictates the need for close control at all stages of development. From the time it leaves the mine until it reaches the end product, the production of atomic energy is a Dr. Jekyll and Mr. Hyde: It can be turned to beneficial or destructive uses. It can transform itself from Dr. Jekyll to Mr. Hyde at any moment and at any stage.

No halfway measures—such as "Monday and Thursday" inspections or "periodic" inspections—would offer assurance against the diversion of nuclear fuel from peacetime to military use. Our federal or any state government would never be satisfied with a system for inspecting banks or meat-packing plants which was based on the notion that the institution to be inspected should be warned in advance when the inspectors would arrive. Can we as a nation accept such a notion where our very national existence may be involved?

The Soviet control convention is so devoid of effective safeguards that all that remains in effect is a convention on prohibition—a paper convention on prohibition. Such a convention is no better than the good faith of its signatories. This we must realize, as a result of bitter experience, is not good enough. It is indeed worse than no plan at all. It might deceive some with its illusory security, but it would not in fact provide the substance of security. It might bring atomic disarmament in the West. But the West would have no assurances as to the atomic disarmament actually carried out in the Soviet world, behind the Iron Curtain.

#### MEASURES FOR SECURITY

The difference between the United Nations and the Soviet plans reflects a fundamental cleavage between the aims of the majority and the minority. Representatives of Canada, China, France, the United Kingdom, and the United States reported as follows to the General Assembly in 1949:

All the Sponsoring Powers other than the U.S.S.R. put world security first and are prepared to accept innovations in traditional concepts of international co-operation, national sovereignty and economic organization where these are necessary for security. The Government of the U.S.S.R. puts its sovereignty first and

is unwilling to accept measures which may impinge upon or interfere with its rigid exercise of unimpeded state sovereignty.

The willingness to accept some restrictions on sovereignty is one of the great and hopeful attitudes in the world today. The Schuman proposal with respect to the European coal and steel industries is the most recent example of this progressive spirit.

The behavior of the Soviets in the atomic energy negotiations shows these features:

1. Distrust of the proposals of other nations.
2. An effort to get concessions from other nations without yielding anything themselves.
3. Bitter denunciation of the opposition, and vicious propaganda attempts to sow discord and arouse suspicion.
4. Finally, steady freezing of Soviet opposition, as though their own propaganda had a certain self-propagating quality.

This last feature is most disturbing. Yet the Soviet system seems to have this effect. Public statements from the Kremlin set the tone and give the cue to many organizations and publications throughout the world which, in some form or other, repeat the Kremlin's ideas. These are then reported back as the sentiment of the peoples of the world. These reinforcing echoes of their own voices apparently solidify the original views of the Kremlin. It is as though, in the words of Mr. X, in his now famous article in *Foreign Affairs*:

It is an undeniable privilege of every man to prove himself right in the thesis that the world is his enemy; for if he reiterates it frequently enough and makes it the background of his conduct he is bound eventually to be right.

It seems that there could be no clearer statement of what is happening in the Atomic Energy Commission of the United Nations. At the start of the negotiations, either from motives having to do with their internal situation, or from suspicion of the motives of others, the Soviet representatives took the position that the majority plan was a hostile gesture. Failing to make an objective study of the elements essential to any real control, and with no informed body of public opinion which could cause them to reconsider their original position, the Kremlin has seemed to become increasingly committed to a course which is as dangerous to the Soviet Union as it is to the rest of the world.

The appropriate forum for atomic energy negotiations as approved by the last General Assembly is the forum of the six permanent members of the United Nations Atomic Energy Commission. The United States stands ready at all times to take part in the consultations in that forum whenever the Soviet Union chooses to return to it.

We believe the United Nations plan is an effective plan. It has our support. But, as the President said last February,



... It has our support not because of its form or its words but because we believe it would achieve effective control. The stakes are too large to let us, or any nation, stand on pride of authorship. We ask only for a plan that provides an effective, workable system—anything less would be a sham agreement. Anything less would increase, not decrease, the dangers of the use of atomic energy for destructive purposes. We shall continue to examine every avenue, every possibility of reaching real agreement for effective control.

But we will not rely merely on a paper convention "prohibiting" the use of the atomic bomb. We must not only prohibit the use of the bomb, we must also establish a system which will make that prohibition effective. That is the crucial difference between the United Nations and Soviet plans. It is the difference between eliminating or continuing to live under the threat of atomic war.

#### **Strength as Basis for Negotiating With Soviets**

These negotiations illustrate the difficulty of peaceful adjustments with the Soviet Union. It would be dishonest to deny that the attitude and action of the Soviet Union creates a threat to the peace of the world. Their actions do belie their peaceful protestations. They are devoting a huge proportion of their resources to military purposes. There is nothing in their history to indicate that this great military machine of theirs is dedicated to the cause of peace and freedom. There is abundant evidence to the contrary. There is nothing in their political literature or philosophy to indicate that they respect weakness even though it were weakness inspired by benevolence and good will. Neither we nor other nations who share our view of life and dedication to freedom are willing to place ourselves at the mercy of the Soviet Union. The fate of the Baltic states, of a Czechoslovakia, of a Hungary, or a Poland is not one which we crave for ourselves or our children.

In the face of such an aggressive imperialist system as that of the Soviet Union, there is a prerequisite to negotiation. That prerequisite is strength. It must be a strength sufficient to be apparent to the rulers in the Kremlin. It must be sufficient and sufficiently long maintained to convince those rulers that their policies, their will cannot be imposed. It must be an economic strength which continues to demonstrate the fallacy of their Marxian concept that capitalism contains the seeds of its own decay. It must be a military strength which negates the possibility of a repetition of the tragic histories of armed subjection. It must be a spiritual strength which not only stands firm but which marches confidently forward to greater and greater well-being for the common man and woman in every part of the world. On the basis of such strength in the free world, the Kremlin may decide that it too has an interest in avoiding conflict and reducing tensions. Then negotiations may lead to their rightful goal.

## **Army Attaché, Declared Persona Non Grata, Withdrawn From Rumania**

[Released to the press June 21]

*The Rumanian Government has declared persona non grata Capt. Herschel Hutsinpillier, United States Assistant Army Attaché of the American Legation, Bucharest, Rumania. In conformity with customary diplomatic practice, the United States Government is withdrawing Captain Hutsinpillier but has denounced the basis of the Rumanian Government's demand.*

*The United States Chargé d'Affaires at Bucharest, Murat Williams, on June 20 delivered informally to the Rumanian Foreign Office the reply of the United States Government as follows:*

The Government of the United States has taken note of the manner in which the Rumanian Government has misrepresented an action on the part of certain members of the American Legation relating to the disposal of some obsolete small arms ammunition. The United States Government has also noted the Rumanian Government's demand in this connection for the recall of Captain Herschel Hutsinpillier, Assistant United States Army Attaché at Bucharest.

It is illustrative of the conduct of diplomatic relations by the Rumanian Government that, through its organs of propaganda, it should have launched a new virulent attack against the American Legation and the United States Government on the basis of an artificially exaggerated and distorted incident, without so much as first seeking an explanation through the American diplomatic representatives in Rumania.

It is also characteristic that, after stating on June 9 that the Rumanian Government "would leave it up to the United States Government to decide what to do about Captain Hutsinpillier" and without awaiting the transmission of a reply from the Government of the United States, the Rumanian Ministry of Foreign Affairs on June 14 should have peremptorily demanded the recall of Captain Hutsinpillier.

The quantity of the ammunition in question was negligible. It was disposed of in an open manner which belies assertions that this action had a clandestine or secretive character. The false construction placed by the Rumanian Government-controlled press on the intentions of the United States Government and its representatives in connection with this insignificant incident is patent on its face.

The United States Government is withdrawing Captain Hutsinpillier. At the same time, it repudiates the alleged justification for the Ministry's demand. The use which the Rumanian authorities have made of this episode and the abuse, on this as on former occasions, of the right to declare a foreign official unacceptable can only lead to the conclusion that the Rumanian Government's action is not really based upon the incident or upon the conduct of Captain Hutsinpillier but is part of a deliberate and centrally directed policy, being car-

ried out throughout Eastern Europe, to interrupt the normal conduct of diplomatic relations between the United States and the states of that area.

On June 6, 1950, the official organ of the Rumanian Workers Party (Communist) launched a new propaganda attack upon the American Legation at Bucharest by publishing a letter signed by a janitor of its service attaché's office. The letter stated that the writer had been an eye witness to the destruction by two enlisted men attached to that office of "four cases and a small sack containing ammunition for pistol and automatic weapons." This ammunition was said to have been thrown into Lake Snagov, a small lake in the environs of Bucharest, from the jetty of a "villa" occupied by Captain Hutsinpillar.

The Rumanian press as a whole took up the Government-inspired cry. It related the incident to trials of the past few years which are purported to demonstrate espionage and subversive activities of the American and British diplomatic missions. The most recent of these trials produced alleged evidence that the British Legation was hiding arms to be supplied to groups of Rumanian dissidents. The ammunition-dumping incident was given a similar interpretation.

The underlying facts of the situation appear to be that the reported incident involved the disposal of a small quantity of outdated ammunition left over from the supplies of the United States military representation of the Allied Control Commission for Rumania. During the Armistice period, that mission represented the United States as one of the three occupying powers. It was withdrawn in December 1947 in conformity with provisions of the Treaty of Peace with Rumania.

In addition to Captain Hutsinpillar, who has been on duty in Rumania since March 1947, the Americans mentioned in the Rumanian account are Sgt. John K. Reynolds and Corp. Byron L. Bird. The two enlisted men left Rumania June 10 according to previous schedule, in line with the current reduction of our Legation's staff. Captain Hutsinpillar is leaving June 25.

## **Rumania Protests Against Travel Restrictions on Personnel in U.S.**

*Statement by Secretary Acheson*

*[Released to the press June 23]*

Over the past 3 years, the Rumanian Government has subjected our diplomatic representation at Bucharest to progressively severe restrictions, impediments, and discourtesies. These not only

drastically curtail the performance by our mission of its normal diplomatic and consular functions, but they also violate the existing consular agreement with Rumania and effectively deprive our chief of mission of rights and privileges to which he is entitled by his special responsibilities under the Treaty of Peace with Rumania.

For a year now, there have been in effect in Rumania travel restrictions which, as administered by the Rumanian authorities virtually confine our representatives to Bucharest and its immediate environs. Theoretically, these restrictions are imposed on all diplomatic personnel. Theoretically also, our people may travel to a few designated places by special permission. This is of little value since the Rumanians as a rule delay unduly or fail to issue travel permits.

At the time the travel restrictions were imposed, we were given informal assurance that we had only to ask and we would be permitted to travel to Constanza in connection with incoming shipments for the Legation. This, like many other such assurances, has proved hollow.

The Rumanian Government has deprived our personnel of premises for which they had rental contracts at destinations where they might be permitted to go. When no other accommodations are available, it is of little use for them to travel there.

Altogether the restrictions and harassments to which our mission in Rumania has been subjected by the Rumanian Government are more comprehensively severe than those of any other country. We do not accept the thesis that we must conduct our relations toward one state and its representatives, regardless of its behavior toward us and our representatives, in the same way as we would toward other states.

The institution on May 25 of the travel-procedure applicable to personnel of the Rumanian Legation here involves reciprocity of diplomatic comity, a principle which the Rumanians have emphasized to an extreme degree.<sup>1</sup> As the Rumanian Government was informed, our administration of the travel procedure will be carried out with a view to the current treatment of our representatives in Rumania.

It is interesting to note that the Rumanian protest recognizes that the imposition of travel restrictions by a receiving country upon the official personnel of a sending country constitutes a limitation on the normal activity of a diplomatic mission. When the Rumanian Government is disposed to remove the restrictions which it has placed on the travel of our representatives in Rumania, we will be ready to alter appropriately the restrictions which are presently applicable to personnel of the Rumanian Legation here.

<sup>1</sup> BULLETIN of June 5, 1950, p. 921.

## The Need for an International Trade Organization

*Views of Howard W. McGrath  
Attorney General*

*The following letter dated April 14, 1950, was sent from the Attorney General, Howard W. McGrath, to the Chairman of the House Committee on Foreign Affairs, John Kee.*

MY DEAR MR. CONGRESSMAN: This is in response to your request for the views of the Department of Justice with respect to the approval of the Havana Charter for an International Trade Organization, commonly known as the Ito Charter.

The Department of Justice is primarily interested in Chapter V of the Ito Charter which would provide the first international machinery intended to cope with restrictive business practices. Since others will, or have, commented on other parts of the proposed Charter which relate more directly to the work of their particular departments, I would like to direct my remarks to Chapter V.

As you are well aware, production and marketing of important raw materials and manufactured commodities in world trade are frequently controlled by cartels, combines and other restrictive international business arrangements. In their desire to increase profits and avoid competition these organizations engage in practices which reduce the volume of world trade and employment, such as division of fields of activity, division of markets, allocation of production or export quotas, restriction on new capacity and fixing of prices and terms of sale. The policy of the United States to eliminate restrictive practices in the foreign trade of our country has long been established.

In the successful negotiation of the Ito Charter, in general, and Chapter V in particular, fifty-four other nations important in international trade have now indicated a willingness to work together with the United States in extending the general policy of eliminating restrictive practices in world trade. The success of our Government's negotiations in getting such an agreement among other delegations representing different national experiences and traditions is in itself an accom-

plishment, and a real step toward breaking down barriers to world trade.

I should like to point out at the outset that the Ito Charter clearly preserves the strength of our competitive traditions and our antitrust laws and their administration. The Ito is not given the power to interfere with the domestic laws or procedures of the United States or any other nation.

The Charter contains an express provision that "no act or omission to act on the part of the Organization shall preclude any Member from enforcing any national statute or decree directed toward preventing monopoly or restraint of trade." This provision keeps inviolate our antitrust legislation. It says in effect that if the Ito does not find a violation of the Charter in a particular instance, but the United States nevertheless finds that its laws have been violated, the right of the United States to enforce its laws is not impaired. Ito decisions or recommendations—or lack of them—do not supersede, supplant or modify in any way our antitrust laws.

The Charter should provide a useful instrument for extending the principles of our competitive system to other countries and thereby render the enforcement of the antitrust laws themselves increasingly effective. While the Charter does not write a Sherman Act for the world, it does set a pattern, clearly recognizable as American in origin, for curbing restrictive business practices, such as I have pointed out above, affecting international trade. The Organization would be empowered to receive complaints from Member governments, initiate investigations, hold hearings, and make reports and recommendations for remedial measures, with final action resting in the individual governments. Subscribing nations, agreeing to this pattern, commit themselves to take such measures as will achieve the objective of the Charter. The effect of this commitment is to raise the standards of other countries for curbing cartels and restrictive business practices toward our level—



and not the reverse. In this respect, the Charter helps to extend the concepts of free enterprise upon which our own antitrust laws are based.

The commitment of Members to take full account of Iro recommendations for remedial action in specific instances, can be most useful in preventing cartels and conspiracies in restraint of international trade. Thus, the Iro provides machinery for effecting a substantial measure of international cooperation in avoiding restrictive business practices, and bringing about an increasing acceptance of free enterprise objectives.

Frequently, in the course of investigating or prosecuting restraints upon our foreign commerce we find some of the guilty parties wholly outside the jurisdiction of our courts. This means that while we may cut off some parts of the offense, complete and adequate relief cannot always be achieved. The result in some cases may be to limit the effectiveness of the Justice Department and of our courts in eliminating violations of our antitrust laws. The Charter provides methods which are designed to overcome these jurisdictional limitations.

One of these methods consists of voluntary consultation among Member nations. When a Member nation considers that in any particular instance a business practice has or is likely to have a harmful effect, it may consult directly with other Members concerned "with a view to reaching mutually satisfactory conclusions." Or, if Members wish, they may request the Iro to facilitate such consultation. This contemplates a cooperative method by which Members may agree among themselves as to the best means of dealing with mutual problems of international cartels or restrictive business practices. In carrying out corrective measures, each Member is to act within its own jurisdiction in accordance with its own constitution and economic organization. In this way irritating jurisdictional obstacles may be avoided.

Another method for avoiding jurisdictional barriers consists of cooperation among Members "for the purpose of making more effective within their respective jurisdictions any remedial measures taken in furtherance of the objectives of this Chapter and consistent with their obligations under other provisions of this Charter." By this procedure restrictive or monopolistic practices may be eliminated voluntarily and amicably.

The possibilities of Iro success, so far as Chapter V is concerned, seem good. I am sure that many other governments have had unhappy experiences with international cartels and would welcome a mechanism through which harmful practices of these enterprises might be curbed. It is heartening to note that Sweden, Norway, Canada, and more recently Great Britain, have passed statutes providing for continuing commissions to investigate restrictive business practices within their respective jurisdictions. These laws will help implement their obligations under the Charter. The

significance of the new British law relative to the Iro Charter was indicated in the House of Lords during debate on the Bill. In asking for a second reading on July 5, 1948, the First Lord of the Admiralty (Viscount Hall), stated:

The present Bill was drafted at the same time as the Charter was being given its final shape at Havana. The two documents are entirely consistent; the procedure of the International Trade Organization will, like our own, be one of investigation into particular restrictive arrangements to try to establish what effects they have on international trade. If at a later date His Majesty's Government ratify the Charter, and are called upon to take any action under Chapter V, this Bill will provide us with adequate power to carry out our international obligations ... The Bill is in line with developments in other countries ... It has the support of all Parties in its general purpose.

Furthermore, the Austrian Government has recently introduced antitrust legislation in its Parliament, a commission under the Minister of Commerce of Denmark is drafting anti-monopoly legislation, and the French Government is also drafting an antitrust law.

The significant progress that has been made in assisting the economic recovery of Western Europe has made possible an increasing emphasis under the ERP for the creation of an integrated Western European economy. The liberalization of trade and the creation of a wide Western European market as measures to obtain increased productivity, lowered costs, a higher standard of living and the establishment of a viable European economy can be promoted by the Iro. Following the termination of the European Recovery Program the Iro may well become the most important single international instrument for the attainment of an expanding competitive international trade. Under Chapter V machinery can be established to help prevent the regrowth of cartel arrangements which would nullify by private agreement these economic objectives. Promptness in getting the Iro under way will, I believe, help to facilitate world economic recovery and promote continued prosperity.

The Iro represents the high water mark in efforts to establish a cooperative intergovernmental organization equipped with the machinery and procedures necessary to solve common problems in the field of international business practices. If the Iro is competently and adequately staffed, and properly administered, it should in my opinion, prove most helpful in eliminating international restrictive cartel arrangements which have worked hardships on American and foreign economies alike. This, in turn, would also remove an important source of international ill-will generated by restrictive cartel activities. Participation in the Iro could provide a valuable supplement to the unilateral action to which we have in the past been limited.

I therefore believe we should support this Charter and should participate actively in the Iro.

## Commission on Migratory Labor

### FIRST MEETING HELD

The President's Commission on Migratory Labor held its first meeting on June 23 to hear facts presented by Government agencies on migratory labor problems.

The President appointed Maurice T. Van Hecke, now professor of law, North Carolina University, Chairman of the Commission, and named as the other members:

Robert E. Lucey, Catholic Archbishop of San Antonio, Texas  
Paul Miller, Chief, University of Minnesota Extension Service  
William Leiserson, former Chairman of the Mediation Board  
Peter H. Odegard, University of California, Professor, Political Science

The number of migratory workers in the United States has been variously estimated at from 1 to 5 million workers.

During this meeting the Commission received data from the Department of Labor on manpower problems, existing legislation and housing difficulties; from the Department of Agriculture concerning industries using migratory labor; from the Department of State on international complications; from the Department of Justice on immigration aspects; and from the Federal Security Agency on welfare problems.

The Commission will formally open its offices on June 26, in Temporary Building V at 14th Street and Pennsylvania Avenue, NW.

The two Washington meetings will form the background for public hearings in various sections of the nation, beginning in California and Texas.

Previous studies have shown that in many instances living standards among migratory workers and their families are markedly below those of other elements in the population, and that because of the absence of a fixed residence as well as their specific exemption in various laws, the migratory workers are frequently denied the benefits of Federal, as well as State and local, social legislation.

Besides the domestic migratory workers, the United States since the war has imported farm laborers, principally from Mexico. The migration from Mexico is governed by an international agreement which was renegotiated on several occasions, the current agreement having been signed in 1949. A number of organizations have taken a stand against the further importation of alien workers, contending that domestic labor can fulfill the needs in the United States, while other organizations have insisted that agricultural production would suffer if employers could not fall back upon alien labor in instances where domestic labor proved to be insufficient.

### EXECUTIVE ORDER 10129<sup>1</sup>

By virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:

1. There is hereby created a Commission to be known as the President's Commission on Migratory Labor, which shall consist of a Chairman and four other members to be designated by the President.

2. The Commission is authorized and directed to inquire into

(a) social, economic, health, and educational conditions among migratory workers, both alien and domestic, in the United States;

(b) problems created by the migration of workers, for temporary employment, into the United States, pursuant to the immigration laws or otherwise;

(c) responsibilities now being assumed by Federal, State, county and municipal authorities with respect to alleviating the conditions among migratory workers, both alien and domestic;

(d) whether sufficient numbers of local and migratory workers can be obtained from domestic sources to meet agricultural labor needs and, if not, the extent to which the temporary employment of foreign workers may be required to supplement the domestic labor supply; and

(e) the extent of illegal migration of foreign workers into the United States and the problems created thereby, and whether, and in what respect, current law enforcement measures and the authority and means possessed by Federal, State, and local governments may be strengthened and improved to eliminate such illegal migration.

3. The Commission shall make a report of its studies to the President in writing not later than December 15, 1950, including its recommendations for Governmental action, either legislative or administrative.

4. In connection with its studies and inquiries, the Commission is authorized to hold such public hearings and to hear such witnesses as it deems appropriate.

5. To the extent that the studies, inquiries, and recommendations of the Commission involve considerations of international arrangements and policies the Commission shall consult with the Department of State.

6. All executive departments and agencies of the Federal Government are authorized and directed to cooperate with the Commission in its work and to furnish the Commission such information and assistance, not inconsistent with law, as it may require in the performance of its duties.

7. During the fiscal year 1950, the compensation of the members of the Commission (including traveling expenses and per-diem allowances) and the expenditures of the Commission shall be paid out of an allotment made by the President from the appropriation appearing under the heading "Emergency Fund for the President" in the Independent Offices Appropriation Act, 1950 (Public Law 266, approved August 24, 1949); and during the fiscal year 1951 such compensation and expenditures shall be similarly paid from any corresponding or like appropriation made available for the fiscal year 1951. Such payments shall be made without regard to the provisions of section 3681 of the Revised Statutes (31 U.S.C. 672), section 9 of the Act of March 4, 1909, 35 Stat. 1027 (31 U.S.C. 673) and such other provisions of law as the President may hereafter specify.

8. Thirty days after rendition of its report to the President, the Commission shall cease to exist unless otherwise determined by further Executive Order.

HARRY S. TRUMAN

THE WHITE HOUSE  
June 3, 1950

<sup>1</sup> 15 Fed. Reg. 3499.

## INTERNATIONAL ORGANIZATIONS AND CONFERENCES

### Calendar of Meetings<sup>1</sup>

#### Adjourned During June 1950

Port-au-Prince Bicentennial Exposition . . . . .	Port-au-Prince . . . . .	Feb. 12-June 8
ILO (International Labor Organization): Governing Body: 112th Session	Geneva . . . . .	May 26-June 3
Congress of International Association for Protection of Industrial Property	Paris . . . . .	May 29-June 3
International Agricultural Genetics Congress . . . . .	Rieti, Italy . . . . .	May 30-June 2
ICAO (International Civil Aviation Organization):		
Council: Tenth Session . . . . .	Montreal . . . . .	May 16-June 5
Assembly: Fourth Session . . . . .	Montreal . . . . .	May 30-June 20
Legal Committee: Sixth Session . . . . .	Montreal . . . . .	May 30-June 20
High Frequency Assignment Planning Meeting for European-Mediterranean Region.	Paris . . . . .	June 6-June 26
United Nations:		
Economic and Social Council:		
Economic Commission for Latin America: Third Session . . . . .	Montevideo . . . . .	June 5-
Economic Commission for Europe: Fifth Session . . . . .	Geneva . . . . .	May 31-June 14
Technical Assistance Conference . . . . .	Lake Success . . . . .	June 12-15
WHO (World Health Organization):		
Executive Board: Sixth Session . . . . .	Geneva . . . . .	June 2-16
International Meeting of Tonnage Measurement Experts . . . . .	Stockholm . . . . .	June 2-16
FAO (Food and Agriculture Organization):		
Latin American Nutrition Conference: Second Session . . . . .	Rio de Janeiro . . . . .	June 5-13
International Congress for the Education of the Deaf and Dumb . . . . .	Groningen, Netherlands . . . . .	June 5-9
Biennial Session of the International Committee on Weights and Measures . . . . .	Sèvres, France . . . . .	June 6-
Conference of World Organization for Brotherhood . . . . .	Paris . . . . .	June 8-11
Brussels Colonial Fair, Third . . . . .	Brussels . . . . .	June 10-25
Tenth International Ornithological Congress . . . . .	Upsala, Sweden . . . . .	June 10-17
Twenty-fourth Session of the Journées Médicales . . . . .	Brussels . . . . .	June 10-14
International Wool Conference . . . . .	Stockholm . . . . .	June 12-18
Nineteenth General Assembly of the International Criminal Police Commission.	The Hague . . . . .	June 19-21
Third Session, International Wheat Council . . . . .	London . . . . .	June 19-20
International Oil Shale Conference . . . . .	Glasgow . . . . .	June 26-

#### In Session as of June 30, 1950

United Nations:		
Advisory Council for Libya . . . . .	Tripoli . . . . .	April 11-
Visiting Mission to Trust Territories in the Pacific . . . . .	Pacific Area . . . . .	April 5-
Trusteeship Council: Seventh Session . . . . .	Lake Success . . . . .	June 1-
International Law Commission: Second Session . . . . .	Geneva . . . . .	June 5-
Permanent Central Opium Board: 55th Session, Narcotic Drugs Supervisory Body: 34th Session; and Third Joint Session of PCOB and NDSE.	Geneva . . . . .	June 14-
National Capital Sesquicentennial Celebration . . . . .	Washington . . . . .	April 15-
ILO (International Labor Organization):		
33rd International Labor Conference . . . . .	Geneva . . . . .	June 7-
UNESCO (United Nations Educational, Scientific and Cultural Organization):		
Seminar on Adult Education . . . . .	Salzburg, Austria . . . . .	June 18-
Swiss-Allied Accord, Four Power Conference on . . . . .	Bern . . . . .	June 20-
ICAO Council: Eleventh Session . . . . .	Montreal . . . . .	June 22-
Caribbean Commission: Tenth Meeting . . . . .	Martinique . . . . .	June 26-
Sugar Council, International: Meeting of Special Committee . . . . .	London . . . . .	June 26-
North Atlantic Council: Planning Board for Ocean Shipping . . . . .	London . . . . .	June 27-
Electric Systems, International Conference on Large High Tension: 13th Biennial Session.	Paris . . . . .	June 29-

<sup>1</sup> Prepared in the Division of International Conferences, Department of State.



## Calendar of Meetings—Continued

**Scheduled July 1–August 31, 1950**

### United Nations:

#### Economic and Social Council:

Eleventh Session . . . . .	Geneva . . . . .	July 3–
Commission on Narcotic Drugs: Fifth Session . . . . .	Lake Success . . . . .	Aug. 21–
Subcommission on Statistical Sampling: Fourth Session . . . . .	Lake Success . . . . .	Sept. 5–
Economic Commission for Asia and the Far East, Regional Conference of Statisticians . . . . .	Bangkok . . . . .	September

Special Committee on Information Transmitted under Article 73(e) of the Charter . . . . .	Lake Success . . . . .	Aug. 18–
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General Assembly: Fifth Session . . . . .	Lake Success . . . . .	Sept. 19–
Meeting of the Council, International Organization for Standardization . . . . .	Geneva . . . . .	July 3–
Thirteenth International Conference on Public Education . . . . .	Geneva . . . . .	July 6–
General Assembly of the International Union of Biological Sciences . . . . .	Stockholm . . . . .	July 7–
International Congress of Private Law . . . . .	Rome . . . . .	July 8–
Eighth International Congress of Agricultural Industries . . . . .	Brussels . . . . .	July 9–

#### FAO (Food and Agriculture Organization):

International Meeting on Dairy Technology . . . . .	Reading, England . . . . .	July 10–
Meeting of Fisheries Technologists . . . . .	Bergen, Norway . . . . .	Sept. 17–
Fourth World Power Conference . . . . .	London . . . . .	July 10–
Seventh International Botanical Congress . . . . .	Stockholm . . . . .	July 12–

#### UNESCO (United Nations Educational, Scientific and Cultural Organization):

Seminar on "The Teaching of Geography as a Means of Developing International Understanding." . . . .	Montreal . . . . .	July 12–
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Seminar on the Improvement of Textbooks, Particularly of History Books . . . . .	Brussels . . . . .	July 12–
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Seminar on the Role of Public and School Libraries in Adult Education . . . . .	Malmö, Sweden . . . . .	July 24–
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North Atlantic Council: Military Production and Supply Board . . . . .	Copenhagen . . . . .	July 12–
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Cancer, Fifth International Congress of Scientific Research and Social Struggle Against . . . . .	Paris . . . . .	July 17–
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Sixteenth International Congress of Ophthalmology . . . . .	London . . . . .	July 17–
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Second Meeting of the International Commission for the Regulation of Whaling . . . . .	Oslo . . . . .	July 17–
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Fourth Assembly, World Organization of the Teaching Profession . . . . .	Ottawa . . . . .	July 17–
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Third International Conference of the Legal Profession . . . . .	London . . . . .	July 19–
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Sixth International Congress of Radiology . . . . .	London . . . . .	July 23–
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Sixth International Conference of Directors of Mine Safety Research Stations . . . . .	Paris . . . . .	July 24–
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Sixth International Pediatrics Congress . . . . .	Zürich . . . . .	July 24–
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Fourth International Congress of Soil Science . . . . .	Amsterdam . . . . .	July 24–
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International Institute of Administrative Sciences: Eighth International Congress . . . . .	Florence . . . . .	July 25–
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Congress of the International Union for Prevention of Venereal Disease . . . . .	Zürich . . . . .	July 29–
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First United States International Trade Fair . . . . .	Chicago . . . . .	Aug. 7–
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Eleventh International Exhibition of Cinematographic Art . . . . .	Venice . . . . .	Aug. 8–
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Radio and Television Exhibition . . . . .	Copenhagen . . . . .	Aug. 11–
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Penal and Penitentiary Commission, Twelfth Congress of the International . . . . .	The Hague . . . . .	Aug. 13–
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International Congress of the History of Science . . . . .	Amsterdam . . . . .	Aug. 14–
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Fifth International Congress on Microbiology . . . . .	Rio de Janeiro . . . . .	Aug. 17–
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Edinburgh Film Festival . . . . .	Edinburgh . . . . .	Aug. 20–
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Izmir International Trade Fair . . . . .	Izmir . . . . .	Aug. 20–
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Eighth Convention of Speech and Voice Disorders . . . . .	Amsterdam . . . . .	Aug. 21–
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ITU (International Telecommunication Union):		
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Fifth Session, Administrative Council . . . . .	Geneva . . . . .	Aug. 21–
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Extraordinary Administrative Radio Conference . . . . .	The Hague . . . . .	Sept. 1–
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First International Congress on Archives . . . . .	Paris . . . . .	Aug. 23–
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Vineyards and Wine, Sixth International Congress on . . . . .	Athens . . . . .	Aug. 23–
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International Federation for Housing and Town Planning: 20th International Congress . . . . .	Amsterdam . . . . .	Aug. 27–
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Ninth International Congress of the Historical Sciences . . . . .	Paris . . . . .	Aug. 28–
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ILO-Who Meeting of Joint Committee on Industrial Hygiene . . . . .	Geneva . . . . .	Aug. 28–
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First International Conference on Alcohol and Traffic . . . . .	Stockholm . . . . .	Aug. 30–
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International Conference of Mathematicians . . . . .	Cambridge, Mass. . . . .	Aug. 30–
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## U.S. Delegations to International Conferences

### Methods and Techniques of Adult Education

The Department of State announced on June 19 that the United States delegation to the International Seminar on Methods and Techniques of Adult Education, to be held near Salzburg, Austria, June 18-July 29, is as follows:

#### Chairman

Watson Dickerman, assistant professor of education, School of Education, University of California, Berkeley, Calif.

#### Delegates

Ruth M. Brewer, assistant to director, Chicago Council on Foreign Relations, Chicago, Ill.

Robert H. Levin, national education director, Amalgamated Clothing Workers, Headquarters, Congress of Industrial Organizations, New York, N. Y.

Thomas A. Van Sant, director, Adult Education, Baltimore Board of Education, Baltimore, Md.

The United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Federation of United Nations Associations are jointly sponsoring the Seminar, which is being convened in response to a recommendation of the UNESCO International Conference on Adult Education held at Elsinore, Denmark, in June 1949.

The objective of the Seminar is to make a practical study of the methods and techniques of adult education with a view to contributing to the advancement of such methods and techniques; arriving at a general concept of adult education and practical conclusions with regard to leadership training and seminar techniques; and preparing documents designed to assist adult education leaders and workers not present at the Seminar. An integral part of this study will be consideration of ways and means by which adult education can be used to promote international understanding.

It is expected that the Conference will establish four working groups to deal specifically with the following topics: organization and administration of adult education programs; intellectual and scientific training techniques employed to foster the adult's mental development; the economic and social training of adults; and methods and techniques appropriate for initiating adults into the arts, as well as activities suitable to the educational use of spare time.

### Ornithological Congress

The Department of State announced on June 12 that Dr. Alexander Wetmore, Secretary of the Smithsonian Institution, Washington, D.C., has been named chairman of the United States delegation to the Tenth International Ornithological Congress which convened at Upsala, Sweden, on June 10. Dr. Wetmore is also President of the

Congress. Assisting Dr. Wetmore are the following United States delegates:

Dr. Herbert Friedmann, curator of birds, United States National Museum, Washington, D.C.

Dr. Alfred O. Gross, professor of biology and director, Kent Island Scientific Station, Bowdoin College, Brunswick, Maine

Frederick C. Lincoln, assistant to the director, Fish and Wildlife Service, Department of the Interior

Dr. S. Dillon Ripley, curator of birds, Peabody Museum, Yale University, New Haven, Conn.

Dr. Josselyn Van Tyne, curator of birds, Museum of Zoology, University of Michigan, Ann Arbor, Mich.

The Tenth Congress, the first since World War II, was organized by the Ornithological Society of Sweden. On the program of the Congress are included discussions on bird banding and bird migration. In addition, delegates will have an opportunity to observe the migration, hibernation, estivation, and feeding habits of various birds through excursions before and after the Congress to many points of ornithological interest, such as breeding places, in Sweden.

The United States is one of the few nations in which ornithology is a matter of practical government administration. This fact is the result of the enactment of such basic laws as the Lacey Act, the Migratory Bird Treaty Act, which implemented conventions between the United States and Canada and between the United States and Mexico, and the Migratory Bird Conservation Act.

### Consular Conference

The Department of State announced on June 5 the opening of a 3-day consular conference at Rio de Janeiro. The American Ambassador to Brazil, Herschel V. Johnson, ranking Embassy officers, representatives from the Department, and principal officers of the consular posts in Brazil are meeting to discuss subjects of common interest, with emphasis on consular and administrative matters. This conference is being held in pursuance of the Department's policy of bringing together departmental and field officers for discussion of mutual problems.

Representing the Department are the following officers:

William P. Hughes, executive director, Bureau of Inter-American Affairs

Elbridge Durbrow, chief-designate, Division of Foreign Service Personnel

William K. Allshie, special assistant, Office of Consular Affairs

Principal officers from consular posts attending the conference are:

Julian C. Greenup, consul general, São Paulo

V. Lansing Collins, Jr., consul, Porto Alegre

George E. Miller, consul, Recife

Robert C. Johnson, Jr., consul, Salvador

Arthur G. Parsloe, consul, Santos

Williams Beal, vice consul, Vitória

George T. Colman, consul, Belém

Richard A. Godfrey, vice consul, Fortaleza

## Technical Assistance

The Department of State announced on June 13 that the following United States delegation has been designated to attend the first meeting of the United Nations Technical Assistance Conference which convened at Lake Success on June 12.

### *United States Representative*

Willard L. Thorp, Assistant Secretary for Economic Affairs, Department of State

### *Deputy United States Representative*

Walter Kotschnig, Director, Office of United Nations Economic and Social Affairs, Department of State

### *Advisers*

Eleanor Dennison, Office of United Nations Economic and Social Affairs, Department of State

William O. Hall, Director, Office of International Administration and Conferences, Department of State

Louis K. Hyde, Jr., United States Mission to the United Nations, New York

Paul W. Jones, Jr., Division of International Administration, Department of State

In recognition of the need for a broad attack on problems of economic development, the President of the United States, in his inaugural address of January 20, 1949, called upon all countries to provide technical assistance for the development of underdeveloped areas, such assistance to be rendered where practicable through the United Nations and the specialized agencies of the United Nations.

After the Secretary-General of the United Nations, pursuant to a resolution of the Economic and Social Council, had, in May 1949, issued a report on the extent and manner in which the United Nations and the specialized agencies could contribute to a technical assistance program, the Economic and Social Council, meeting at Geneva in the summer of 1949, studied such questions as how the expanded program should be planned and coordinated, how it should be financed, and how it should be administered.

Arrangements were made, and, subsequently, unanimously approved by the members of the United Nations in the General Assembly in the fall of 1949, for annual programs of technical assistance to be planned by the secretariats of the various agencies acting together; for the over-all program to be financed through a special account to be established by the United Nations, to which all governments belonging to any of the participating organizations would be invited to contribute; for this fund to be distributed among the organizations on the basis of agreed percentages; and for the respective secretariats to have responsibility for administering and operating the program, while policy control would be vested in the Economic and Social Council and ultimately in the General Assembly of the United Nations and the conferences or governing bodies of the agencies.

The forthcoming Conference will be primarily

concerned with ascertaining the total amount of contributions available from participating governments for the execution of the technical assistance programs of the United Nations and the specialized agencies during the first year of its operation. The Conference must also give final consent to plans for the allotment of proportionate shares of the total amount of contributions to the various participating organizations.

Plans are now under way for the coordination of bilateral programs to be carried out by the United States with those of the United Nations.

## Wheat Council

The Department of State announced on June 16 that the third session of the International Wheat Council will convene at London on June 19 with the following United States delegation in attendance:

### *Delegate*

Stanley Andrews, director, Office of Foreign Agricultural Relations, Department of Agriculture

### *Alternate Delegate*

Elmer F. Kruse, assistant administrator for commodity operations, Production and Marketing Administration, Department of Agriculture

### *Advisers*

Maurice M. Benidt, chief, International Wheat Agreement Staff, Production and Marketing Administration, Department of Agriculture

James C. Foster, director, Commodities Division, Office of International Trade, Department of Commerce

Francis A. Linville, assistant chief, Economics Resources and Security Staff, Department of State

Paul O. Nyhus, agricultural attaché, American Embassy, London

### *Adviser and Secretary*

Gordon Fraser, United States member of Executive Committee of Wheat Council, London

The International Wheat Council was established in 1949 pursuant to the terms of the International Wheat Agreement of March 23, 1949, an instrument designed to assure supplies of wheat to importing countries and markets for wheat to exporting countries at equitable and stable prices. Administration of the provisions of the agreement is the primary function of the Council which is composed of the 39 exporting and importing countries parties to the agreement. Each country may be represented on the Council by a delegate, an alternate, and such technical advisers as are necessary.

The forthcoming session of the Council will discuss how quantities brought into the agreement by accessions and by increase of quotas shall be apportioned among the exporting countries. This apportionment involves agreement among the four exporting countries, i.e., Australia, Canada, France, and the United States.

Among other subjects for consideration by the third session of the Council are: review of the



operative problems connected with the recording of sales and the reporting of the status of quota fulfillment to members by the Secretariat; review of changes in the rules of procedure suggested by the Executive Committee and determination of powers to be delegated to the Executive Committee; election of members of the Executive Committee for the crop year 1950-51; election of a chairman and vice chairman; elaboration of a budget for 1950-51; and the time and place of the next meeting of the Council.

#### **Congress for Education of Deaf and Dumb**

The Department of State announced on June 5 that Leonard M. Elstad, president of Gallaudet College, Washington, D.C., and Maj. Jerome G. Sacks, MSC, assistant chief of the Clinical Psychology Branch, Office of the Surgeon General, Department of the Army, will represent the United States Government at the International Congress for Education of the Deaf and Dumb at Groningen, the Netherlands, beginning June 5.

The Netherlands Government is sponsoring this Congress in commemoration of the establishment 160 years ago of the Royal Institution for the Deaf and Dumb in Groningen.

Teaching by ear or vibration, by talking visibly, and other methods of improving the means of communication by the deaf will be intensively studied at the forthcoming Congress. Although considerable progress has been made in the United States, in recent years, in developing improved methods for teaching children born without hearing to speak, in many other countries such instruction is confined to lip reading and sign language.

In many other countries, little stress is placed on the education of deaf students after the completion of the elementary grades, in contrast to the United States where the deaf are urged to complete at least a high school education and where there is the only college in the world for deaf students. In an effort to find means of raising educational standards for the deaf everywhere, the forthcoming Congress will discuss programs of vocational education, higher education, and out-of-school education for the deaf.

Other topics which have a close correlation to improvement of means of communication by the deaf and their education will also be discussed. Among the topics will be: the testing of the deaf; language and thinking—psychological problems of the deaf; and aftercare of the deaf.

#### **Journées Médicales**

The Department of State announced on June 8 that two delegates have been named to represent the United States Government at the 24th session of the Journées Médicales (Medical Days of Brussels) convening at Brussels on June 10. They are: Col. Robert U. Merikangas, MC, USA, Chief of Medicine, 97th General Hospital, Frankfurt, Ger-

many; and Walter G. Nelson, Medical Director, Public Health Service, American Embassy, Paris, France.

Annual meetings of the Journées Médicales are sponsored by the Belgian Government to bring together distinguished doctors with the object of keeping the practicing physician in touch with current medical research. An International Exposition of Sciences and Arts as applied to medicine, surgery, pharmacy, and hygiene will, as in the past, be held in conjunction with the 24th session. Representatives of the United States Government have participated in most of the meetings of this organization since 1932.

#### **U.S. Representative Named to NAC Board for Ocean Shipping**

The Department of State announced on June 19 that Huntington T. Morse, special assistant to the administrator of the Maritime Administration of the Department of Commerce, has been appointed the United States representative on the North Atlantic Planning Board for Ocean Shipping. Mr. Morse will fill this post in addition to his other present duties.

At its fourth session in London, on May 18, the North Atlantic Council announced that it had established, in furtherance of article 9 of the Treaty, a North Atlantic Planning Board for Ocean Shipping.<sup>1</sup> This Board will report directly to the Council and will work in close cooperation with other bodies of the Treaty organization in all matters relating to merchant shipping in defense planning.

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**Achieving a Community Sense**—Continued from page 17  
overcome the obstacles in our path must be consonant with our aims, and must accord with our deepest moral sense.

The fundamental moral value on which our society rests is the brotherhood of man. To the extent that our actions abroad, and our relations among ourselves at home, are expressive of this humanist principle, we shall create a good that will live after us.

It is not in the words we profess, but in what we do, and in how we do it, that our ends will be found.

Justice Holmes expressed it:

Man is born a predestined idealist, for he is born to act. To act is to affirm the worth of an end, and to persist in affirming the worth of an end is to make an ideal.

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<sup>1</sup> BULLETIN of May 29, 1950, p. 830.

## The United States in the United Nations

[June 24-30]

### Security Council

The Security Council on June 27 adopted a resolution, introduced by the United States, recommending that United Nations members "furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area."<sup>1</sup> The resolution, opposed only by Yugoslavia, received seven affirmative votes. The Soviet representative was not present. Egypt and India stated that they had not received instructions from their Governments and, therefore, could not participate in the vote. However, at a Council meeting on June 30, the Indian representative announced that his Government accepted the resolution, while the Egyptian representative said that Egypt would have abstained in the vote, because it considered that the Korean situation is just another element of the East-West conflict.

In presenting the resolution, Warren R. Austin of the United States called it a "logical consequence" of the Council's resolution of June 25<sup>2</sup> and of the North Korean authorities' failure to observe it. Ambassador Austin read President Truman's statement of June 27<sup>3</sup> announcing that United States air and sea forces had been ordered "to give the Korean Government troops cover and support." In concluding his remarks, Ambassador Austin said that the "keynote of the resolution and my statement and the significant characteristic of the action taken by the President is support of the United Nations purposes and principles—in a word 'peace'."<sup>4</sup>

Two Yugoslav resolutions were defeated by the Council. At the emergency meeting on June 25, Yugoslavia proposed that the Council call for cessation of hostilities and withdrawal of forces and "invite the Government of North Korea to state its case before the Security Council." At the June 27 meeting, Yugoslavia presented a resolution by which the Council would renew its call

for cessation of hostilities, invite the North Koreans to send a representative to the United Nations, and, in addition, initiate a procedure of mediation.

### Economic Commission for Latin America

The Economic Commission for Latin America, which held its third session at Montevideo, Uruguay, on June 5-21, adopted a number of resolutions dealing with problems of economic development, technical assistance, immigration, foreign investments, foreign trade, and agricultural credit. The most important of the resolutions, one on economic development and anticyclical policy, contains a declaration of general principles. The resolution was strongly endorsed by the 17 Latin American delegations present (Costa Rica, Peru, and Venezuela were not represented) and approved by the French, Netherlands, and United Kingdom delegations. The resolution is so sweeping in character, however, that the United States delegation felt compelled to state that, although it would vote in favor of the resolution, it did so "subject to study by its government to determine whether there is anything in the resolution which may not be in harmony with United States economic policy and international commitments."

### Trusteeship Council

Discussion of the annual reports on the trust territories of British and French Togoland was completed by the Trusteeship Council on June 29, and a committee consisting of Belgium, Iraq, the Philippines, and the United States was appointed to draft the Council reports on these territories.

Except for an annex including individual opinions of Council members, examination of the drafting committee's report on Australia's annual report on New Guinea was concluded on June 28. Approval was given to the drafting committee's report on New Zealand's annual report on Western Samoa on June 29. On that day, the Council also approved nine resolutions submitted by its *ad hoc* Committee on Petitions dealing with petitions from New Guinea and the British and French Cameroons.

<sup>1</sup> See *ante* p. 7.

<sup>2</sup> See *ante* p. 4.

<sup>3</sup> See *ante* p. 5.

<sup>4</sup> See *ante* p. 6.

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